

LAND, WATER, AND GOVERNMENT: CONFLICTS IN SANTIAGO  
TLATELOLCO IN THE SIXTEENTH AND EARLY SEVENTEENTH CENTURIES

AN ABSTRACT

SUBMITTED ON THE TWENTY-FIFTH DAY OF MARCH 2015

TO THE DEPARTMENT OF LATIN AMERICAN STUDIES

IN PARTIAL FULFILLMENT OF THE REQUIREMENTS

OF THE GRADUATE SCHOOL

OF TULANE UNIVERSITY

FOR THE DEGREE

OF DOCTOR OF PHILOSOPHY

BY

  
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## **ABSTRACT**

This dissertation discusses conflicts over land and water in Santiago Tlatelolco, an indigenous community located in Mexico City, in the sixteenth and early seventeenth centuries. The specific purpose of this study is to analyze the strategies that the indigenous government and indigenous people in general followed in the defense of their natural resources in order to distinguish patterns of continuity and innovation.

The analysis covers several topics; first, a comparison and contrast between Mesoamerican and colonial times of the adaptation to the lacustrine environment in which Santiago Tlatelolco was located. This is followed by an examination of the conflicts that Santiago Tlatelolco had with neighboring indigenous communities and individuals who allied themselves with Spaniards. The objective of this analysis is to discern how indigenous communities in the basin of central Mexico used the Spanish legal system to create a shift in power that benefitted their communities.

The next part of the dissertation focuses on the conflicts over land and water experienced by a particular group: women. This perspective provides insight into the specific life experience of the inhabitants of Santiago Tlatelolco during Mesoamerican and colonial times. It also highlights the impact that indigenous people had in the Spanish colonial organization and the response of Spanish authorities to the increasing indigenous use of the legal system.

The final part discusses the evolution of indigenous government in Santiago Tlatelolco from Mesoamerican to colonial rulership. This section focuses on the role of

indigenous rulers in Mexico City public works, especially the hydraulic system, in the recollection of tribute, and, above all, in the legal conflicts over land and water. The dissertation concludes that new forms of land tenure as well as other forms of social pressure changed social relations and the relationship with the environment. In the midst of change, nonetheless, indigenous peoples used traditional and innovative strategies to survive and thrive.

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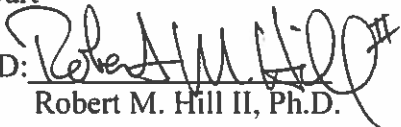
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## INTRODUCTION

Tlatelolco has a special role in Mexico's historical memory. In the prehispanic period, its defeat by the Tenochca marked the beginning of the latter's rise as the dominant *altepetl* (ethnic state) in central Mexico. Tlatelolco also became the location for the most important pre-Hispanic market in the region. Later, it was the setting of the final battles among the Mexica, the Spaniards, and their indigenous allies. During the early viceroyalty, it was the location of the most important institution for indigenous education: the Colegio de Santa Cruz. In the twentieth century, it continued to house two of the most important commercial centers in the city: La Lagunilla and Tepito.<sup>1</sup> Furthermore, it became the setting of some of Mexico City's twentieth-century tallest structures, including the renowned building of the Secretaría de Relaciones Exteriores. Subsequently, Tlatelolco has become an emblem of the coming together of three worlds: the prehispanic, the colonial, and the modern. For this reason a section of it is known as the *Plaza de las Tres Culturas* (the Plaza of the Three Cultures). Unfortunately, Tlatelolco also became the locus of two major tragedies in modern Mexico: the killing of thousands of students in 1968 and the deaths of thousands of people in the 1985 earthquake.

The purpose of this dissertation is to analyze the extent of continuity or transformation in systems related to land, water, and government in Santiago Tlatelolco

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<sup>1</sup> La Lagunilla is famous for its furniture stores, whereas Tepito is famous for illegal commerce, such as trafficked goods known as *fayuca*. Both neighborhoods have an important role in Mexican popular culture.

during the sixteenth and early seventeenth centuries. The significance of the study is to illustrate that since the precontact period, Tlatelolco has exemplified the challenges that the inhabitants of central Mexico have faced, such as dense populations, an adverse environment, economic competition, and the resulting social, political, and military conflict.

Santiago Tlatelolco was one of two Nahua districts that constituted the indigenous population of Mexico City during the colonial period. The other was San Juan Tenochtitlan. The Tlatelolca and the Tenochca belonged to the same ethnic group: the Mexica. Long before the arrival of the Spaniards, the Tepaneca from Azcapotzalco and the Mexica from Tenochtitlan and Tlatelolco fought one another for land. This is not surprising since they inhabited a discreet region in which access to water, to labor, and to tribute depended on the availability of land. Land and territorial conflicts among the three groups continued during the viceroyalty and gave way to extensive litigation.

In this dissertation “Tlatelolco” refers to the prehispanic *altepetl* and “Santiago Tlatelolco” references the colonial period. Additionally, the term *altepetl* describes a sociopolitical entity or “territory with known limits” inhabited by a group of people that had a history in common and a ruler or *tlatoani*.<sup>2</sup> In other words, this dissertation parts from the assumption that Santiago Tlatelolco, like the pre-Hispanic Tlatelolco, was an *altepetl*. The reasons for this are, on the one hand, that the basic constituents of the *altepetl* continued to exist; on the other, that belonging to an *altepetl* constituted a basic element in a person’s ethnic identity before and after the arrival of the Spaniards.

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<sup>2</sup> Susan Schroeder, *Chimalpahin and the Kingdoms of Chalco* (Tucson: The University of Arizona Press, 1991), 126-128.

The starting point for this study (Chapter I) is a discussion of the landscape in which Santiago Tlatelolco was located in order to understand the environmental problems that the people faced. The solutions they devised shaped their relationship with the Tepaneca, the Tenochca, and the other altepetl of central Mexico, especially in their conflicts over land and water. Since the Tlatelolca inhabited a lacustrine island, their struggles over land differed from those of mainland inhabitants. Along with the Tenochca, the Tlatelolca devised technologies that enabled them to extend arable land as well as to create a hydraulic system that protected them from flooding and provided them with irrigation and drinking water. The hydraulic or water management system of the Mexica served to interrupt, contain, and redirect the natural flow of water from the basin's lakes and rivers.<sup>3</sup> This dissertation addresses the significance of water control not only to the environment, but also to the political, social, cultural, and economic worlds of the Tlatelolca and of their relationship with neighboring altepetl. In fact, the analysis of water management is indispensable to understanding the conflicts over land tenure and the type of government that characterized the life of the Tlatelolca in the sixteenth and seventeenth centuries.

The insular location of the Mexica forced them to find mainland access to the tribute and the labor they required to build and sustain their altepetl and their hydraulic systems. Through trade, diplomacy, and military endeavors, the Tenochca and the Tlatelolca expanded their jurisdiction to surrounding communities. However, the arrival of the Spaniards soon altered their system. By locating the capital of the viceroyalty of

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<sup>3</sup> Lisa J. Lucero and Barbara W. Fash. "Precolumbian Water Management. An Introduction," in *Precolumbian Water Management. Ideology, Ritual, and Power*, eds. Lisa J. Lucero and Barbara W. Fash (Tucson: The University of Arizona Press, 2006), 4.

New Spain on the same island as Tenochtitlan and Tlatelolco, Spanish settlers and authorities faced some of the same environmental challenges that the Tenochca and Tlatelolca had experienced. At first, the Spaniards used certain aspects of indigenous organization and technology to overcome them. The role of the Tlatelolca in such implementation as well as in the construction of Mexico City was fundamental, for they provided leadership, knowledge, tribute, and labor. The importance of their contribution was such that in the conflicts that Santiago Tlatelolco had over land and jurisdiction with Spaniards, Tenochca nobility, and other indigenous communities, the Crown tended to side with Tlatelolco in order to protect its own revenue.

Chapter II analyzes some of the most complicated conflicts that Santiago Tlatelolco experienced: a lawsuit against doña Leonor Moteuczoma, one of Moteuczoma's daughters, and a lawsuit against Azcapotzalco's cabildo. These cases are not only essential to understand the evolution of the relationship among the Tepaneca, the Tenochca, and the Tlatelolca from the prehispanic to the colonial period but also to evaluate the role that the *encomenderos* (individuals in possession of an *encomienda*), the *Real Audiencia* (high court of law), and the Crown played in the shifting of power.

In the thirteenth century, the Tepaneca settled in the northern part of the basin of Mexico. A century later, the Mexica arrived, became subjects of the Tepaneca, and as such assisted the latter in their military expansion in the basin. The result was that, in the fourteenth century, the Tepaneca became the most powerful people of the basin. At this point, the relationship between the Tepaneca and the Tlatelolca was closer than that between the Tepaneca and the Tenochca. However, in the fifteenth century, as the Tepaneca lost power, the Tenochca began to acquire influence over the Tlatelolca. In

1473 there was a confrontation between the two. Tlatelolco lost and became subject to Tenochtitlan. The lawsuits analyzed in this chapter shed light on the way each of these altepetl attempted to use the colonial situation to recover their past preeminence and to defend themselves against the attacks of the other two.

In the next chapter (Chapter III), the discussion of the land-tenure conflicts that indigenous women experienced becomes a focal point for the analysis of key aspects of Tlatelolca society during the contact era. These lawsuits illustrate aspects of social life related to land tenure, such as sale, patterns of inheritance, the role of Tlatelolca women as land proprietors, conflicts between commoners and nobles and between Spaniards and *Nahuas* (Nahuatl-speaking people), and the challenges that these conflicts caused in Spanish courts, such as the Audiencia and the *Juzgado General de los Naturales* (General Indian Court).

Finally, Chapter IV deals with the evolution of the prehispanic tlatoani to a colonial *gobernador* (governor). The most important topic in this chapter is the extent of continuity and change in the role of Santiago Tlatelolco's indigenous gobernador. This analysis is based on the diachronic performance of Tlatelolca gobernadores in activities related to rulership, the city's hydraulic works, and mediation in land-tenure conflicts.

## **HISTORIOGRAPHY**

The study of patterns of land tenure in the viceroyalty of New Spain as well as in other regions of the Spanish Indies goes back to at least the early twentieth century.<sup>4</sup>

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<sup>4</sup> In the nineteenth century, A.F. Bandelier and Morgan studied land tenure patterns among the Mexica: Adolph F.A. Bandelier, "On the distribution and tenure of lands, and the customs with respect to inheritance, among the Ancient Mexicans," in *Eleventh Annual Report of the Peabody Museum of American Archaeology and Ethnology* 2 (Salem: Salem Press, 1878), 385-448. Lewis Morgan, *Ancient Society* (New York: Henry Holt and Company, 1878). For a discussion on the shortcomings of both

George M. McBride (1921), Silvio Zavala (1940), José María Ots Capdequí (1946), Lesley Byrd Simpson (1950), and François Chevalier (1952) analyzed institutions associated with land tenure (such as the *encomienda* and the *hacienda*) as well as the juridical structure of these institutions.<sup>5</sup> McBride and Ots Capdequí concentrated on the definition of the Spanish legal framework of the *encomienda* (McBride) and the *ejido* or communal land (Ots Capdequí). On the other hand, Zavala discussed the relationship between the *encomienda* and patterns of land tenure, whereas Simpson and Chevalier studied social aspects of the *encomienda* and of the Mexican *hacienda*. In the same decade, Alfonso Caso and Charles R. Wicke (1963) analyzed the precontact land system of the Tenochca and Tlatelolca. Their study laid the groundwork for modern research on the colonial patterns of land tenure in the viceroyalty of New Spain because it departed from the traditional Eurocentric approach. Subsequently, James Lockhart (1969) addressed the extent of continuity and change between the institutions of *encomienda* and *hacienda*.<sup>6</sup>

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studies see Alfonso Caso and Charles R. Wicke, "Land Tenure among the Ancient Mexicans," *American Anthropologist* 65, No. 4 (Aug., 1963): 863-878.

<sup>5</sup> James Lockhart defines the *encomienda* as "a grant of Indian tribute and originally labor to a Spaniard," whereas *hacienda* would be "large Spanish estates." James Lockhart, *The Nahuas after the Conquest: A Social and Cultural History of the Indians of Central Mexico, Sixteenth through Eighteenth Centuries* (Stanford: Stanford University Press, 2002), 4.

<sup>6</sup> George M. McBride, "The Land Systems of Mexico." (Ph.D. diss., Yale University, 1921); Silvio Zavala, *De encomiendas y propiedad territorial en algunas regiones de la América Española* (Mexico City: Antigua Librería Robredo de José Porrúa e Hijos, 1940); José María Ots Capdequí, *El Régimen de la tierra en la América Española durante el período colonial* (Ciudad Trujillo: Universidad de Santo Domingo, 1946); Lesley Byrd Simpson, *The Encomienda in New Spain: the Beginning of Spanish Mexico* (Berkeley: University of California Press, 1950); François Chevalier, *La*



During the seventies and eighties, scholars of land tenure patterns moved away from Chevalier's generalizations and from the idea of producing models for broad areas. Instead, they focused on local and regional variations. Michael G. Riley (1971) discussed land tenure in Morelos; Wayne S. Osborn (1973) in Metztitlan; Hanns J. Prem (1978) in the Alto Atoyac; and Margarita Loera y Chávez (1977) in Calimaya and Tepemaxalco. Perhaps the publication that most clearly exemplifies the scholarship of this decade is *Explorations in Ethnohistory* edited by H. R. Harvey and Hanns J. Prem in 1983.<sup>7</sup> The subject matter covers a great variety of topics, land tenure among them. A conclusion common to several articles in this anthology is that contact-period land tenure patterns differed locally and regionally, and that they were more variable than formerly thought.

The study of land tenure and topics associated with it exploded in the decade of the nineties. The use of administrative documents in addition to chronicles, indigenous-language sources, pictorial and alphabetic documents, as well as an interdisciplinary approach to the ethnohistory, bringing in archaeology, art history, geography, and demography, afforded a better understanding of colonial Mesoamerica and, above all, of

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*Formation des grands domaines au Mexique. Terre et société aux XVIe-XVIIe siècles* (Paris: Institut d'Ethnologie, 1952); Caso and Wicke, "Land Tenure among the Ancient Mexicans."

<sup>7</sup> Michael G. Riley, "Land in Spanish Enterprise: Colonial Morelos 1522-1547." *The Americas* 27, No. 3 (Jan., 1971): 233-251; Wayne S. Osborn, "Indian Land Retencion in Colonial Metztitlan." *The Hispanic American Historical Review* 53, No. 2 (May, 1973): 217-238; Hanns J. Prem, *Milpa y hacienda: Tenencia de la tierra indígena y española en la cuenca del Alto Atoyac, Pueblo, México (1520-1650)* (Wiesbaden: Steiner, 1978); Margarita Loera y Chávez, *Calimaya y Tepemaxalco. Tenencia y transmisión hereditaria de la tierra en dos comunidades indígenas. Época colonial* (Mexico City: Instituto Nacional de Antropología e Historia, 1977); H. R. Harvey, "Aspects of Land Tenure in Ancient Mexico," in *Explorations in Ethnohistory. Indians of Central Mexico in the Sixteenth Century*, eds. H. R. Harvey and Hanns J. Prem (Albuquerque: University of New Mexico Press, 1983).

its indigenous communities. Two edited volumes on the topic of land were *The Indian Community of Colonial Mexico. Fifteen Essays on Land Tenure, Corporate Organizations, Ideology and Village Politics*, edited by Arij Ouweneel and Simon Miller (1990) and *Land and Politics in the Valley of Mexico. A Two-Thousand-Year Perspective* edited by H. R. Harvey (1991)<sup>8</sup>.

Further studies of land focused on Puebla and the Estado de México regions. Regarding Puebla, Diana M. Liverman (1990) discussed the impact of climate, technology, and agriculture on land tenure patterns in Puebla and Sonora. Josefina María Cristina Torales Pacheco (1993) continued her exploration on the *composiciones de tierra* in Cholula, Puebla and Hildeberto Martínez (1984 and 1994) expanded his study of land tenure in Tepeaca to include Tecamachalco and Quecholac.<sup>9</sup> Margarita Menegus

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<sup>8</sup> Arij Ouweneel and Simon Miller, eds., *The Indian Community of Colonial Mexico. Fifteen Essays on Land Tenure, Corporate Organizations, Ideology and Village Politics* (Amsterdam: Centro de Estudios y Documentación Latinoamericanos, 1990); H. R. Harvey, ed., *Land and Politics in the Valley of Mexico. A Two Thousand Year Perspective*, ed. H.R. Harvey (Albuquerque: University of New Mexico Press, 1991).

<sup>9</sup> *Composición de tierra* is the name of a seventeenth-century policy in which landowners had to adjust the titles to their land through a fee paid to Spanish officials. Lockhart, *The Nahuas*, 598. Diana M. Liverman, "Drought Impacts in Mexico: Climate, Agriculture, Technology, and Land Tenure in Sonora and Puebla," *Annals of the Association of American Geographers* 80, No. 1 (Mar., 1990): 49-72; Josefina María Cristina Torales Pacheco, *Composiciones de tierra en la jurisdicción de Cholula, siglos XVII y XVIII* (Mexico City: Universidad Iberoamericana, 1993); Hildeberto Martínez, *Tepeaca en el siglo XVI. Tenencia de la tierra y organización de un señorío* (Mexico City: Centro de Investigaciones y Estudios Superiores en Antropología Social, 1984); Hildeberto Martínez, *Codiciaban la Tierra. El despojo agrario en los señoríos de Tecamachalco y Quecholac (Puebla, 1520-1650)* (Mexico City: Centro de Investigaciones y Estudios Superiores en antropología Social, 1994).

Bornemann (1990) and René García Castro (1999) studied land tenure in the region that today constitutes the Estado de México.<sup>10</sup>

The study of land conflicts has continued during the first two decades of the twenty-first century, but it still centers in the region of the modern-day state Estado de México. Guadalupe Zamudio Espinosa (2000 and 2001) and Gerardo González Reyes (2009 and 2010) published two books each on land and society in the Toluca region. Elvia Montes de Oca Nava (2003) analyzed agrarian issues related to land in the same area. Israel Sandre Osorio (2005) worked in the same state, but he gave the study of land conflicts a new dimension by relating them to conflicts over water. In his study of Chalco, Tomás Jalpa Flores (2008) also studied the relationship between society and land during the viceroyalty.<sup>11</sup>

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<sup>10</sup> Margarita Menegus Bornemann, “La propiedad indígena en la transición, 1519-1577. Las tierras de explotación colectiva,” in *Mundo rural, ciudades y población del Estado de México*, ed. Manuel Miño Grijalva (Zinacantepec, Mexico: El Colegio Mexiquense, Instituto Mexiquense de Cultura, 1990); René García Castro, *Indios, territorio y poder en la provincia matlatzínca. La negociación del espacio político de los pueblos otomianos, siglos XV-XVII* (Zinacantepec, Mexico: El Colegio Mexiquense, Centro de Investigaciones y Estudios Superiores en Antropología Social, Instituto Nacional de Antropología e Historia, 1999).

<sup>11</sup> Guadalupe Yolanda Zamudio Espinosa, “Conformación de la propiedad agraria española en el valle sur de Toluca. Siglo XVI,” in *Valle de Toluca: Sociedad y Territorio*, ed. Guadalupe Y. Zamudio Espinosa and José M. Aranda Sánchez (Toluca, Mexico: Universidad Autónoma del Estado de México, 2000); Guadalupe Yolanda Zamudio Espinosa, *Tierra y sociedad en el valle de Toluca. Siglo XVI* (Toluca, Mexico: Universidad Autónoma del Estado de México, 2001); Gerardo González Reyes, *Tierra y Sociedad en la Sierra Oriental del Valle de Toluca Siglos XV-XVIII del señorío otomiano a los pueblos coloniales* (Toluca, Mexico: Gobierno del Estado de México, 2009); Gerardo González Reyes, *Códice de Temascaltepec. Gobierno indio y conflictos territoriales en el siglo XVI* (Toluca, Mexico: Consejo Editorial de la Administración Pública Estatal, 2010); Elvia Montes de Oca Nava, *Apuntes sobre la cuestión agraria en México y en el Estado de México* (Zinacantepec, Mexico: El Colegio Mexiquense, 2003); Israel Sandre Osorio, *Documentos sobre posesión de aguas de los pueblos indígenas del Estado de México, siglos XVI al XVIII* (Mexico City: Centro de Investigaciones y Estudios Superiores en Antropología Social: Archivo Histórico del Agua: Comisión

The symposium, “The Struggle for Land: Property, Territory, and Jurisdiction in Early Modern Europe and the Americas,” held at the Newberry Library, April 8, 2011, exemplifies the state of current studies of land tenure patterns and conflicts. It also illustrates the comparative approach that has come to characterize the study of land tenure during the era of “globalization.”<sup>12</sup> Finally, Ethelia Ruiz Medrano’s *Mexico’s Indigenous Communities. Their Lands and Histories, 1500-2010* (2011) studies conflicts over land in Oaxaca and central Mexico from prehispanic to modern times. Key to her discussion is the continuity of traditional strategies, such as the use of manuscript paintings, to prove property rights.<sup>13</sup>

Surprisingly, in the twentieth-and early twenty-first century only one book was published on the study of land tenure in Mexico City during the contact period: Ana Rita Valero de García Lascuráin’s *Solares y conquistadores. Orígenes de la propiedad en la ciudad de México*.<sup>14</sup> Valero de García Lascuráin (1991) centered her study in the *traza* of Mexico City, i.e., in the part of Tenochtitlan that was destroyed to build the administrative center and the first residences of Spanish settlers. Missing are further

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Nacional del Agua: El Colegio Mexiquense, 2005); Tomás Jalpa Flores, *Tierra y Sociedad. La apropiación del suelo en la región de Chalco durante los siglos XV-XVII* (Mexico City: Instituto Nacional de Antropología e Historia, 2008).

<sup>12</sup> For the program of this symposium, see <http://www.newberry.org/04082011-2010-11-symposium-comparative-early-modern-legal-history>

<sup>13</sup> Ethelia Ruiz Medrano, *Mexico’s Indigenous Communities. Their Lands and Histories, 1500-2010* (Boulder: University Press of Colorado, 2011).

<sup>14</sup> Ana Rita Valero de García Lascuráin, *Solares y conquistadores. Orígenes de la propiedad en la ciudad de México* (Mexico City: Instituto Nacional de Antropología e Historia, 1991).

studies of land holding systems in Mexico City's two indigenous republics: San Juan Tenochtitlan and Santiago Tlatelolco. This study attempts to address the latter.

Indigenous government has also become a major object of study. Several major scholars have analyzed indigenous government in central Mexico and in Mexico City in particular. In 1953, Charles Gibson published the article "Rotation of Alcaldes in the Indian Cabildo of México, D.F." Some years later (1964), Gibson dedicated a chapter of his renowned *The Aztecs under Spanish Rule. A History of the Indians of the Valley of Mexico, 1519-1810* to indigenous government in the general area. Three decades later (1992), Lockhart dedicated a section of *The Nahuas After the Conquest. A Social and Cultural History of the Indians of Central Mexico, Sixteenth Through Eighteenth Centuries's* chapter on the altepetl (Chapter 2) to town government. More recently (2011), William F. Connell published the detailed study *After Moctezuma. Indigenous Politics and Self-Government in Mexico City, 1524-1730*. In Mexico, María Castañeda de la Paz has written several articles on the government and the nobility of Santiago Tlatelolco and San Juan Tenochtitlan.<sup>15</sup> Rebeca López Mora has analyzed a specific figure, the Tlatelolca governor don Diego Mendoza de Austria Moteuczoma.<sup>16</sup>

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<sup>15</sup> María Castañeda de la Paz, "Apropiación de elementos y símbolos de legitimidad entre la nobleza indígena. El caso del cacicazgo tlatelolca," *Anuario de Estudios Americanos* 65, No. 1 (January-June 2008): 21-47. María Castañeda de la Paz, "Central Mexican Indigenous Coats of Arms and the Conquest of Mesoamerica," *Ethnohistory* 56, No. 1 (Winter 2009): 125-161. María Castañeda de la Paz, "Historia de una casa real. Origen y ocaso del linaje gobernante en México-Tenochtitlan," *Nuevo Mundo Mundos Nuevos*, Debates, 2011. Online. Mondes Américains, Sociétés, Circulations, Pouvoirs (MASCIPPO), L'Ecole des Hautes Etudes en Sciences Sociales (<http://nuevomundo.revues.org/60624>).

<sup>16</sup> Rebeca López Mora, "El cacicazgo de Diego de Mendoza Austria y Moctezuma: un linaje bajo sospecha," in *El cacicazgo en Nueva España y Filipinas*, ed. Margarita Menegus Bornemann and Rodolfo Aguirre Salvador (Mexico City: Centro de

## SOURCES

The most important primary sources for this dissertation are sixteenth to eighteenth-century documents housed in Mexico and Spain. Mexican manuscript paintings such as the *Ordenanza del Señor Cuauhtemoc* constitute an indigenous counterpart to Spanish documents on land conflicts. The *Ordenanza* is a manuscript painting created by the Tlatelolca in the eighteenth century that refers to a sixteenth-century conflict over Tlatelolca's rights to the land, water, and the hydraulic structure of the island they inhabited, as well as to Lake Texcoco. Other pictorial sources fundamental for this study are the *Códice Cozcatzin*, the *Códice de Tlatelolco*, the *Códice Osuna*, the *Mapa de Santa Cruz*, the *Plano en papel maguey*, and other early maps of Mexico City.

The archival sources used in this study highlight the significant presence of the indigenous peoples of New Spain in Spanish courts. The French term *fonds* is now used in archival science to refer to the records that a person or organization produced during their existence.<sup>17</sup> The *fonds* or *ramos* used for this study come from the Real Audiencia and the Juzgado General de los Naturales in New Spain and the *Consejo de Indias* (Council of the Indies) in Spain. The first two are housed at Mexico's Archivo General de la Nación (AGN); the third, at Spain's Archivo General de Indias (AGI).<sup>18</sup> The contents

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Estudios sobre la Universidad, Universidad Nacional Autónoma de México, Plaza y Valdés, S.A. de C.V., 2005).

<sup>17</sup> For the definition and origin of the term *fonds*, see the Glossary of the Society of American Archivists (<http://www2.archivists.org/glossary/terms/f/fonds>).

<sup>18</sup> The *ramos* from the AGN are *Tierras* (Land), *Mercedes* (Land grants), and *Bienes Nacionales* (National Property), and from the AGI, *Justicia* (Justice.)

of the ramos mentioned above reveal not only how Spanish institutions dealt with land tenure and conflicts over land holding, but also the way in which indigenous institutions and individuals fought for their rights and used their traditional systems as well as the Spanish legal system for their causes and interests. Nahuatl texts, such as testaments, bills of sale, cross-examinations, depositions, and others are used as well in the lawsuits over land and water. Despite the fact that, at times, the only record consists of an interpreter's Spanish translation, the lawsuits describe the actions taken by the Tlatelolca, actions that suggest a great knowledge not only of the legal system but also of the human nuances that made the system work for or against an individual or group.

Other primary sources consulted are chronicles and annals, such as those by don Domingo de San Antón Muñón Chimalpahin Quauhtlehuanitzin, Hernán Cortés, Bernal Díaz del Castillo, fray Diego Durán, don Fernando de Alva Ixtlilxochitl, fray Bernardino Sahagún, fray Juan de Torquemada, and Alonso de Zorita, among others. These works have been a starting point for two types of research: first, the prehispanic events that preceded territorial conflicts during the viceroyalty; second, the prehispanic and contact-period hydraulic system. Fundamental to the latter are the anthropological and archaeological works of scholars such as Ángel Palerm, Teresa Rojas Rabiela, Margarita Carballal Staedtler, María Flores Hernández, and Salvador Guilliem Arroyo, director of the archaeological work at Santiago Tlatelolco. Guilliem's recent discovery of a huge cistern with indigenous paintings next to Tlatelolco's church and friary is indicative of the water problems and the solutions that the inhabitants of Santiago Tlatelolco proposed.

## THESIS

This dissertation explores the extent of continuity and change between the prehispanic land tenure system and that existing in Santiago Tlatelolco during the sixteenth and early seventeenth centuries. To a certain degree, there was continuity in Santiago Tlatelolco's land holding patterns. In prehispanic times, the most traditional manner of legitimating both the possession and the property itself was to prove that a legitimate ruler had granted such land to the *altepetl* or to one of its inhabitants. It is important to note that there was a difference between what are referred to as "possession" and "property." The former signified having the right to use the land whereas the latter referred to having the actual ownership of the land and the authority to alienate it.<sup>19</sup> Often, this distinction resulted in conflict, for those with possession of land often claimed to have it as property. In many of the colonial lawsuits, the institution or individual who could prove that his or her land originated from a prehispanic ruler's grant as well as their continual possession of it won the litigation.

At the same time, the arrival of the Spaniards gave communities that had been subject to Tlatelolco in the previous centuries the opportunity to recover land and tribute that had been taken over by the Tlatelolca in prehispanic times. The lawsuits brought by surrounding communities against Santiago Tlatelolco were complex and often included indigenous groups joining forces with Spaniards. Not uncommonly, Spanish *encomenderos* worked together with these peoples because they wanted to receive the tribute that these same communities provided to Santiago Tlatelolco. Because it was

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<sup>19</sup>

The distinction between property and possession is still applied in Mexico.



Crown property, the Spanish authorities had a special interest in keeping tribute flowing to Santiago Tlatelolco.<sup>20</sup>

Tlatelolca conflicts, whether fought by the corporation or by individuals, suggest that as time passed the sale of land became more common. Sales to outsiders resulted in the alienation of corporate land, i.e., land that had formerly belonged to the altepetl became private land. Along with other factors, this shift had a major effect on the fate of the prehispanic hydraulic system and on the environment of central Mexico. During the prehispanic era, the Nahuatl people used a system of water management based on “containment” and “water utilization.” They used causeways, dikes, and aqueducts to increase land used for intensive cultivation, to provide land with irrigation, to protect the city against flooding, and to provide a means of transportation and communication. Containment of water was not important for the Spaniards because their main food supply was livestock and wheat instead of corn, and these activities required large tracts of dry land.<sup>21</sup> Furthermore, the lacustrine environment conflicted with their urban ideal

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<sup>20</sup> Charles Gibson stated that initially Hernán Cortés assigned Santiago Tlatelolco to the Crown. Sometime later Cortés gave Santiago Tlatelolco in encomienda to Diego de Ocampo, but Charles Gibson believed that Tlatelolco had gone back to its status as *realengo* (property of the Crown) when the monarch granted Cortés the *Marquesado del Valle* (a grant of nobility and land) in 1529. In addition, several documents state that Santiago Tlatelolco was a *realengo*. AGI, Justicia, Vol. 123 and 124; AGI, Justicia, Vol. 159, No. 5. Charles Gibson, *The Aztecs Under Spanish Rule. A History of the Indians of the Valley of Mexico, 1519-1810* (Stanford: Stanford University Press, 1985), 432-433.

<sup>21</sup> Ezequiel Ezcurra, Marisa Mazari-Hiriart, Irene Pisanty, and Adrián Guillermo Aguilar, *The Basin of Mexico: Critical environmental issues and sustainability* (Tokyo, New York, Paris: United Nations University Press, 1999), 35. Brian P. Owensby, *Empire of Law and Indian Justice in Colonial Mexico* (Stanford: Stanford University Press, 2008), 17.

and their modes of transportation based on horses, mules, and oxen. For these reasons, the Spanish model of water management was based on water evacuation.<sup>22</sup>

By the end of the sixteenth century, Spanish authorities decided to drain what remained of the lacustrine system that covered the basin. To do so, they devised the construction of a huge drainpipe that led to Huehuetoca, a town located to the north of Mexico City. Among other peoples, the Tlatelolca were obliged to provide labor for the project. This, in turn, worsened their burden. In addition, the alteration of their environment, that is, the occurrence of more flooding and more drought, resulted in a dire situation, that was in many ways connected to the shift in land tenure patterns. As more land became private, indigenous communities lost control over both the land and their hydraulic mechanisms. Spanish authorities could then buy or expropriate these properties to put into effect their own hydraulic projects.

Ultimately, the objective of the study of land tenure patterns, water management systems, and indigenous government is to increase our understanding of the tenacity of the Tlatelolca and their ongoing efforts to maintain the integrity of their corporate community; first, by fighting to preserve their land, water, and hydraulic structures; and second, by adapting to a new reality that entailed political, economic, social, and environmental change.

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<sup>22</sup> Vera S. Candiani. "Draining the basin of Mexico: Science, technology and society, 1608-1808" (Ph.D. dissertation, University of California, Berkely, 2004), 5, 7. Vera S. Candiani, *Dreaming of Dry Land. Environmental Transformation in Colonial Mexico City* (Stanford: Stanford University Press, 2014), 7, 30-32, 250, 263-26, 290.

## **CHAPTER I: SANTIAGO TLATELOLCO'S ENVIRONMENT AND ITS HYDRAULIC SYSTEM**

A good starting point for the analysis of land tenure in Santiago Tlatelolco during the sixteenth century is the study of human adaptation to their environment. Adaptation to a lacustrine setting was the first dilemma that the Tlatelolca experienced when they founded their city in the basin of central Mexico. The second would be the conflicts that developed among different altepetl over land, water, and hydraulic structures.

The first part of this chapter is an analysis of two manuscript paintings, the *Ordenanza del Señor Cuauhtémoc* and the *Plano en papel maguey*. The former represents the relationship between geography, the hydraulic system, and territorial boundaries for the Tlatelolca as an altepetl.<sup>1</sup> On the other hand, the latter suggests how the Tlatelolca conceived land and water, and how they fought for rights over the two. Both documents serve as an introduction to the conflicts that are analyzed in the following chapters. The second part of this chapter discusses Tlatelolco's environment, the development of hydraulic technology, and the resulting emergence of Tlatelolco as a commercial power. This is followed by a description of the impact that war in the sixteenth century among the Spaniards, their indigenous allies, the Tenochca, and the Tlatelolca had on the basin's hydraulic structures. The last two sections discuss the continuities and transformation of

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<sup>1</sup> The political and territorial conflicts that gave way to the painting of the *Ordenanza* will be discussed in chapter IV.

the colonial hydraulic system and the environmental changes that the arrival of the Spaniards wrought.

## THE ORDENANZA AND THE PLANO

The map included in the *Ordenanza del Señor Cuauhtémoc* suggests that for the inhabitants of Santiago Tlatelolco, the concept of land was much more complex than that for a mainland inhabitant. Some of the major conflicts that Tlatelolco had with surrounding communities were to a great extent territorial disputes over water and the hydraulic system. The *Ordenanza del Señor Cuauhtémoc* consists of four 11 x 14-inches *amatl* (paper made from bark) sheets. Folios 10r, 12r, and 12v contain Nahuatl alphabetic text on both sides in addition to several traditional pictograms. Folio 11r contains a map with glosses (See Fig. I-1). The map provides copious information, such as the landmarks that indicate the boundaries of Tlatelolco, traits of the orography and the hydrography of the region, and the hydraulic system built in this part of the basin of Mexico.<sup>2</sup>

The dating of the *Ordenanza* has been a point of debate. Scholars such as Robert Barlow and Perla Valle believe that this manuscript is a copy of a painting made when

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<sup>2</sup> The first folio was numbered ten. According to Silvia Rendón, this suggests that the manuscript is lacking its first nine folios. The three that make up the document were probably part of a twelve-folio document. The only folios that remain are numbers ten, eleven, and twelve. The folio numbers written are in a different hand. Silvia Rendón, "Ordenanza del Señor Cuauhtemoc," *Philological and Documentary Studies* II, No. 2 (New Orleans: Middle American Research Institute, The Tulane University of Louisiana, 1952): 17, 19, 21. Robert H. Barlow, "El plano más antiguo de Tlatelolco," in *Obras de Robert H. Barlow. Vol. II. Tlatelolco: fuentes e historia*, eds. Jesús Monjarás-Ruiz, Elena Limón, and María de la Cruz Pailléz H. (Mexico City: Instituto Nacional de Antropología e Historia, Universidad de las Américas, Puebla, 1989), 59.

Itzcoatl, the ruler of Tenochtitlan (r. 1427-1440), and Cuauhtlatoa, the ruler of Tlatelolco (r. 1428-1460), established the rights of their respective altepetl over Lake Texcoco and the island, in c. 1431. They also believed that in 1523 Quauhtemoc (r. 1521-1524) ordered that a copy of the map be made in order to ratify Tlatelolco's territorial rights, and that this copy is what is now known as the *Ordenanza del Señor Cuauhtémoc*.<sup>3</sup> On the other hand, Michel R. Oudijk and María Castañeda de la Paz believe that the *Ordenanza* was made in the early eighteenth century (c. 1709) to be used in the conflicts over land that the inhabitants of Santiago Tlatelolco had against the town of *Nuestra Señora de Guadalupe* (Our Lady of Guadalupe).<sup>4</sup>

According to Oudijk and Castañeda de la Paz, the *Ordenanza* is a *título primordial*, i.e. a document that indigenous people made in the late colony but pretended to have a prehispanic origin to legitimize land possession. They indicated that the *Ordenanza* shared the basic characteristics of the títulos: micro patriotism (focusing on the altepetl or one of its subdivisions), the supposed voice of a cultural hero or leader, clear definition of boundaries, use of an indigenous language, anachronisms, a moralizing

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<sup>3</sup> Robert H. Barlow, "El plano más antiguo de Tlatelolco," 59. *Ordenanza del Señor Cuauhtémoc*, ed. Perla Valle and trans. Rafael Tena (Mexico City: Gobierno del Distrito Federal, 2000), 36. The *Ordenanza del Señor Cuauhtémoc* is now housed at the Latin American Library in Tulane University. However, Perla Valle believes that Tulane's copy is a different copy also from the sixteenth century. *Ordenanza del Señor Cuauhtémoc*, p. 36.

<sup>4</sup> María Castañeda de la Paz and Michel R. Oudijk, "El uso de fuentes históricas en pleitos de tierras: La Crónica X y la Ordenanza de Cuauhtémoc," *Tlalocan* XVI (2009): 243, 257.

tone, and reference to pictographies.<sup>5</sup> The *Ordenanza* purports that Quauhtemoc declared that to defend the altepetl's territorial rights was the duty of Tlatelolco's rulers. The text of the *Ordenanza* outlined two strategies to legitimize land tenure: the acquisition of land through military victories (folio 12r) and the occupation of vacant land (folio 10r). Because of its late creation date, the *Ordenanza* illustrates the continuity of certain aspects of the Mesoamerican land tenure system, principally the role of Tlatelolca rulers in the preservation of the altepetl's land (see Chapter IV).

The map included in the *Ordenanza* and the text of folio 12r contains information on the boundaries of Tlatelolco's territory. On the map there are twelve indicators of the territorial borders. Some of the indicators denote geographical features such as mountains, hills, rocks, springs, and rivers. Others refer to structures of the hydraulic system that the Mexica had built in the basin, such as defense walls, causeways that also functioned as dikes, canals, ditches, and dams, and some referred to public works like roads.<sup>6</sup> In addition to their hydraulic function, these structures functioned as landmarks that designated jurisdictional limits. They were very important because control over the hydraulic system and access to the lake were fundamental for the survival of both Tenochtitlan and Tlatelolco.

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<sup>5</sup> Castañeda de la Paz and Michel R. Oudijk, "El uso de fuentes históricas en pleitos de tierras: La Crónica X y la Ordenanza de Cuauhtémoc," 258.

<sup>6</sup> Castañeda de la Paz and Oudijk include a chart comparing the *Ordenanza*'s landmarks with the landmarks indicated in two documents dated 1709 and 1711 used in the conflict between Santiago Tlatelolco and Nuestra Señora de Guadalupe. Castañeda de la Paz and Michel R. Oudijk, "El uso de fuentes históricas en pleitos de tierras: La Crónica X y la Ordenanza de Cuauhtémoc," 257.

The *Plano en papel maguey*, also known as *Plano parcial de la Ciudad de México* or as *Plano de papel izote*, is another colonial Mesoamerican map that highlights the relationship between land and water for the Tlatelolca. It is a large panel (2.385 x 1.68 m.) of indigenous paper, and it is now located in Mexico's National Museum of Anthropology and History (See Fig. I-2). Scholars have differed on the nature of the material of the paper, but all concur that the paper came from the fiber of a native plant.<sup>7</sup> Donald Robertson believed that the map was either a copy of a precontact map or a very early colonial document. However, based on stylistic analysis, he suggested that the manuscript was made in stages that corresponded to different time periods and to different artists. The earliest style followed indigenous conventions closely, whereas the latest style was closer to that of European art. In a more recent study, María Castañeda de la Paz suggests that the *Plano* was, in fact, modified years after its creation, perhaps several times. According to her, the list of Tenochca rulers located at one of its margins

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<sup>7</sup> Justino Fernández believed that the fiber came from a palm tree known as “Izotl” which is found in the basin of Mexico. The paper made from this fiber was finer and more resistant than maguey paper. Scholars who have supported this opinion are Luis González Aparicio and Federico Gómez de Orozco. Donald Robertson believed that the map was made of amatl, while Miguel León-Portilla and Jorge González Aragón had no problem referring to the map as *Plano en papel maguey*. Manuel Toussaint, Federico Gómez de Orozco, and Justino Fernández, *Planos de la Ciudad de México. Siglos XVI y XVII. Estudio Histórico Urbanístico y Bibliográfico* (Mexico City: Universidad Nacional Autónoma de México, Instituto de Investigaciones Estéticas, 1938), 59, 78. Luis González Aparicio, *Plano reconstructivo de la región de Tenochtitlan* (Mexico City: Instituto Nacional de Antropología e Historia, Secretaría de Educación Pública, 1973), 78. Miguel León-Portilla and Carmen Aguilera, *Mapa de México Tenochtitlan y sus contornos hacia 1550* (Mexico City: Celanese Mexicana, 1986), 19. Robertson, *Mexican Manuscript Painting*, 77, 82, 83. Jorge González Aragón, *La urbanización indígena de la Ciudad de México. El caso del Plano en papel maguey* (Mexico City: Universidad Autónoma Metropolitana, Unidad Xochimilco, 1993).

and other sections of the map were manipulated, scratched out, and painted over as the result of the different functions of the document throughout time.<sup>8</sup> Regarding the date of the *Plano*, Robertson and other scholars believed that the terminal date for the map was sometime between 1557 and 1562, whereas Castañeda de la Paz extended the date to 1565.<sup>9</sup> Robertson reasoned that the last historic figure depicted in the map was don Cristóbal de Guzmán, the ruler of Tenochtitlan from 1557 to 1562, but Castañeda de la Paz believes that Robertson had not studied the original because the last figure in the latter was not Guzmán but another Tenochca governor: Luis de Santamaría Nanacacipatzin (r. 1563-1565).<sup>10</sup>

Initial studies of the *Plano* concentrated on its geographic localization. Most of the scholars who have analyzed it believed that the *Plano* refers to a northeastern section of the island of Tenochtitlan, specifically to the eastern part of Santiago Tlatelolco (See Fig. I-3).<sup>11</sup> Justino Fernández reached this conclusion because he believed that the church

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<sup>8</sup> María Castañeda de la Paz, “El plano parcial de la ciudad de México: nuevas aportaciones con base en el estudio de su lista de *tlatoque*,” in *Símbolos de poder en Mesoamérica*, ed. Guilhem Olivier (Mexico City: Universidad Nacional Autónoma de México, Instituto de Investigaciones Antropológicas, 2008), 395.

<sup>9</sup> For example, Eduard Seler, Manuel Toussaint, Federico Gómez de Orozco, and Justino Fernández. Donald Robertson, *Mexican Manuscript Painting of the Early Colonial Period. The Metropolitan Schools* (Norman and London: University of Oklahoma Press, 1994), 82. Castañeda de la Paz, “El plano parcial de la ciudad de México: nuevas Aportaciones con base en el estudio de su lista de *tlatoque*,” 399.

<sup>10</sup> Castañeda de la Paz, “El plano parcial de la ciudad de México: nuevas aportaciones con base en el estudio de su lista de *tlatoque*,” 399-400.

<sup>11</sup> On the other hand, Edward Calnek believed that the *Plano* did not represent a section of Mexico City, but a non-urban location. Edward E. Calnek, “The



of Santa María in the *Plano en Papel Maguey* was the same as the church of Santa María located to the east of Tlatelolco in the *Map of Santa Cruz*. He considered that the gloss “Camino de Atzcapotzalco” served as further evidence, and that the uninhabited land located in the eastern part of the map corresponded to the swampy terrain located in the eastern part of the island (See Fig. I-4). Fernández also believed that the wall parallel to what he thought was the Tepeyac Causeway constituted a defense wall to protect the city from the water of La Lagunilla, a small lagoon located to the south of Tlatelolco, which served as a dock for the city’s canoes (See Fig. I-3 and I-15). Like Fernández, Jorge González Aragón believed that the map represented the barrio of Santa María located in the eastern part of Tlatelolco, but he thought that the orientation that Fernández suggested was wrong. According to Fernández the defense wall depicted in the map was a secondary structure made to defend that part of the city from the water of La Lagunilla, whereas González Aragón believed that the defense wall of the *Plano* represented the Albarrada de San Lázaro (See Fig. I-5).<sup>12</sup> In a more recent study, María Castañeda de la

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Localization of the Sixteenth-Century Map Called the Maguey Plan.” *American Antiquity* 38, No. 2 (Apr., 1973): 190-195.

<sup>12</sup> Toussaint et al., *Planos de la Ciudad de México*, 64, 66. González Aparicio, *Plano reconstructivo de la region de Tenochtitlan*, 79. Robert H. Barlow, “Cinco siglos de las calles de Tlatelolco,” in *Obras de Robert H. Barlow. Vol. II. Tlatelolco: fuentes e historia*, eds. Jesús Monjarás-Ruiz, Elena Limón, and María de la Cruz Pailléz H. (Mexico City: Instituto Nacional de Antropología e Historia, Universidad de las Américas, Puebla, 1989), 451-452. González Aragón, *La urbanización indígena de la Ciudad de México*, 35.

Paz concludes that the lack of a toponymic glyph makes it impossible to state with certainty the location of the map.<sup>13</sup>

Despite the disagreement in respect to the exact location of the map, there was a general consensus that its purpose was to indicate land ownership.<sup>14</sup> The *Plano* represents four hundred rectangular plots; each includes a residential site and land for cultivation (See Fig. I-2). The former are represented by houses drawn according to indigenous conventions (See Fig. I-6), and the latter consist of six or seven rectangular rows or *chinampas* (aquatic agricultural plots). The plots are arranged in a gridiron pattern made up of irrigation canals, water channels, and streets (See Fig. I-7). Each plot opens onto a street or canal or both. In this manner, plots are connected to the main transportation systems. At the same time, each plot is associated with a name glyph followed by a written gloss that represents the same name (See Figs. I-6 and I-7). Edward Calnek believed that these name glyphs indicate that “the map was a property register of the type kept by community officials (*calpuleque*) in prehispanic times.”<sup>15</sup> Miguel León-Portilla also suggested that the glyphs referred to the names of the owners of these plots. Federico Gómez de Orozco believed that the map belonged to the genre of colonial documents that

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<sup>13</sup> Castañeda de la Paz, “El plano parcial de la ciudad de México: nuevas aportaciones con base en el estudio de su lista de *tlatoque*,” 421.

<sup>14</sup> González Aragón represents one exception, for he believed that the map was a census as well as an indigenous instrument for the design and the planning of public works. González Aragón, *La urbanización indígena de la Ciudad de México*, 39.

<sup>15</sup> Calnek, “The Localization of the Sixteenth Century Map Called the Maguey Plan,” 190.

indigenous peoples used as evidence of land possession. He also believed that the indigenous people who inhabited this part of the city made the map to defend their land against the Spaniards who wanted to appropriate it. Accordingly, the Spanish glosses, specifically those next to the name glyphs of the owners of the plots of land indicate that the map addressed a Spanish audience.<sup>16</sup>

The *Plano* addresses some topics that are related to land tenure among the Tenochca and the Tlatelolca. The list of Tenochca rulers records not only the relationship of altepetl, land, and the tlatoque, but also the defeat of Azcapotzalco by the Mexica, and the distribution of land that the Tenochca tlatoani Itzcoatl made among Tenochca and Tlatelolca nobility after this defeat.<sup>17</sup> Castañeda de la Paz believes that the *Plano* makes a reference to the defeat of the Tlatelolca by the Tenochca in 1473.<sup>18</sup> Consequently, this

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<sup>16</sup> González Aparicio, *Plano reconstructivo de la region de Tenochtitlan*, 78. González Aragón, *La urbanización indígena de la Ciudad de México*, 39. León-Portilla and Aguilera, *Mapa de México Tenochtitlan*, 20. Toussaint et al., *Planos de la Ciudad de México*, 80. The map also includes a list of Tenochca rulers. William F. Barnes analyzes such list, see William L. Barnes, “Secularizing for Survival: Changing Depictions of Central Mexican Native Rule in the Early Colonial Period,” in *Painted Books and Indigenous Knowledge in Mesoamerica. Manuscript Studies in Honor of Mary Elizabeth Smith*, ed. Elizabeth Hill Boone (New Orleans: Tulane University, Middle American Research Institute), 2005.

<sup>17</sup> Castañeda de la Paz, “El plano parcial de la ciudad de México: nuevas aportaciones con base en el estudio de su lista de *tlatoque*,” 401-403.

<sup>18</sup> Castañeda de la Paz also suggests that the *Plano* was a document used by the Tenochca in a conflict over land with the renowned Tlatelolca governor don Diego Mendoza de Austria Moteuczoma. Castañeda de la Paz, “El plano parcial de la ciudad de México: nuevas aportaciones con base en el estudio de su lista de *tlatoque*,” 403-404, 416. María Castañeda de la Paz, “Sibling Maps, Spatial Rivalries: The Beinecke Map and the Plano Parcial de la Ciudad de México,” in *Painting a Map of Sixteenth-Century*

map illustrates not only basic concepts of Mesoamerican landholding, but also the shift of power among Azcapotzalco, Tenochtitlan, and Tlatelolco.

The *Ordenanza del Señor Cuauhtémoc* and the *Plano en Papel Maguey* suggest that the concept of land for an inhabitant of the Tenochtitlan-Tlatelolco island differed to some degree with that of an inhabitant of the mainland. According to the *Ordenanza*, rights over the lake and over hydraulic structures were just as important as rights over land. On the other hand, in the *Plano*, chinampas surrounded by water made up the terrain. In fact, the proportion of water was so great that the metropolis seemed like a floating city. Each plot of land was framed by hydraulic structures: some were quite large, like defense walls, causeway-dikes, and main canals, while others were small, such as secondary and tertiary canals, water roads, springs, and irrigation canals.<sup>19</sup> A description of the environment in which Tlatelolco and Tenochtitlan were located reveals

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*Mexico City. Land, Writing, and Native Rule*, ed. Mary E. Miller and Barbara E. Mundy (New Haven and London: Yale University Press, 2012), 64.

<sup>19</sup> The Beinecke Map, another map of Mexico City, coetaneous to the *Plano*, also illustrates parts of the hydraulic system, their intersection with indigenous landholdings, and the perennial concern to control water. However, scholars do not believe that this map refers to Santiago Tlatelolco, but to San Juan Tenochtitlan, specifically, to “the area around the chapel of San Jerónimo in the barrio of Atlixco.” Mary E. Miller, “Introduction: The Beinecke Map,” in *Painting a Map of Sixteenth-Century Mexico City. Land, Writing, and Native Rule*, ed. Mary E. Miller and Barbara E. Mundy (New Haven and London: Yale University Press, 2012), 3. Pablo Escalante Gonzalbo, “On the Margins of Mexico City. What the Beinecke Map Shows,” in *Painting a Map of Sixteenth-Century Mexico City. Land, Writing, and Native Rule*, ed. Mary E. Miller and Barbara E. Mundy (New Haven and London: Yale University Press, 2012), 109.

that it is very likely that for the Mexica their conflict over land was to a great extent a battle for drinking water and against flooding.<sup>20</sup>

### **TLATELOLCO'S ENVIRONMENT**

Tlatelolco and Tenochtitlan were located on the island in the middle of Lake Texcoco; Tlatelolco was located to the north, Tenochtitlan to the south. Lake Texcoco was part of a lacustrine system in the basin of Mexico that was located on the Transversal Volcanic Axis, a 20-70 km-wide formation that crosses Mexico from the Pacific to the Atlantic. Intensive volcanic and tectonic activity from the Chichinautzin volcanic field gave way to a mountain range that blocked drainage outlets to the south. Volcanic ranges also blocked the east and west of the basin: to the east, the Sierra Nevada which includes the Popocatepetl and the Iztaccihuatl volcanoes; to the west, the Sierra de las Cruces. To the north, low discontinuous hill ranges also enclosed the basin, but not to the same degree as the volcanic ranges. Water from rivers and springs, from the snow that melted from Popocatepetl and Iztaccihuatl, and from rainwater that flowed down from the mountains that surrounded the basin, created a system of shallow lakes located on the basin floor. Before the rise of the Mexica, a system of five interconnected lakes covered approximately 1,500 km<sup>2</sup> of the basin. By the beginning of the sixteenth century, the same lacustrine system still covered the basin. Lakes Xaltocan and Zumpango were located to the north; Lake Texcoco was in the center, and Lakes Xochimilco and Chalco were located to the south. By then, these lakes were shallow; their depths ranged from

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<sup>20</sup> González Aragón, *La urbanización indígena de la Ciudad de México*, 44, 46.

one to three meters, and during the rainy season they were interconnected (See Fig. I-10). Lake Texcoco was the largest of the five lakes and also the one with the lowest elevation; consequently, water from the other lakes drained into Lake Texcoco. The drainage from Lakes Xochimilco and Chalco was continual because they received water from perennial rivers, and for this reason, they were three meters higher than Lake Texcoco. Lakes Xaltocan and Zumpango were not that high because the rivers that flowed into them were for the most part seasonal. Thus, they drained into Lake Texcoco only during the rainy season. Lakes Xochimilco and Chalco contained freshwater, but Lakes Xaltocan, Zumpango, and Tetzaco had brackish water. In fact, a band of saline soil approximately 500-1000m wide surrounded them (See Fig. I-8).<sup>21</sup>

Since prehispanic times, people from the north migrated to the basin of Mexico. Perhaps the reason was that the soil was rich and fertile, and water was abundant. It was not as hot as the tropical basin of Morelos, and it was not as dry as the regions north of the basin. The Mexica claimed to have been the last group to migrate to central

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<sup>21</sup> According to Ezequiel Ezcurra, the reason for Lake Texcoco's briny water was that the water that flowed into the lake got minerals from the rocks and hills it traversed on its way to the lake. Since the basin of Mexico was closed, these minerals did not end up in the ocean; instead, they were deposited in the bottom of the basin. Ezcurra et al., *The Basin of Mexico*, 10, 11. Margarita Carballal Staedtler and María Flores Hernández, "Hydraulic Features of the Mexico-Tetzaco Lakes during the Postclassic Period," in *Precolonian Water Management. Ideology, Ritual, and Power*, eds. Lisa J. Lucero and Barbara W. Fash (Tucson: The University of Arizona Press, 2006), 156, 165. William T. Sanders, Jeffrey R. Parsons, and Robert S. Santley, *The Basin of Mexico. Ecological Processes in the Evolution of a Civilization*, (New York: Academic Press, 1979), 81, 84-85.

Mexico. According to fray Diego Durán, they arrived at Chapultepec in the year 1193.<sup>22</sup> By then, the basin was already populated; thus, they had to fight against several communities in order to gain access to land and other resources. In the end, they did not settle on the mainland. After fleeing Chapultepec, they inhabited Tiçapan, where they were subject to the altepetl of Culhuacan. Then their deity Huitzilopochtli ordered them to request the daughter of Achitometl, Culhuacan's ruler, to be their queen and the wife of their patron deity. After sacrificing her in front of her father, the Mexica were forced to flee. The Culhua pursued the Mexica, and finally the Mexica jumped into the water of the lake, where they built rafts from shields, cattails, and weeds. This is, perhaps, one of the earliest references to the chinampa system. In Durán's account, the rafts allowed them to survive in an unfavorable environment, i.e., in the midst of swamps full of reeds. Under the guidance of Huitzilopochtli, they saw the sign that indicated to them where to build their city: an eagle perched on a nopal cactus found over a rock in the middle of Lake Texcoco. This site was located on a small island surrounded by swamps, cattails, and reeds. There, the Mexica decided to erect a temple for their patron deity, but since the amount of land was insufficient, they cut down the reeds that surrounded the prickly pear cactus, and with them they built a rectangular raft that served as support for a wooden temple, another reference to the chinampa.<sup>23</sup>

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<sup>22</sup> Fray Diego Durán, *Historia de los indios de Nueva España e islas de la tierra firme* I, (Mexico City: Consejo Nacional para la Cultura y las Artes, 2002), 70.

<sup>23</sup> Ángel Palerm, *México prehispánico. Ensayos sobre evolución y ecología*, ed. Carmen Viqueira (Mexico City: Consejo Nacional para la Cultura y las Artes, 1990),

According to fray Diego Durán's account, the Mexica had to overcome serious obstacles to establish their city in Lake Texcoco. One was that the territory belonged to Azcapotzalco, Tetzaco, and Culhuacan.<sup>24</sup> The other was that the island did not have enough terrain for the Mexica to inhabit it. Consequently, they continued with the same strategy that they had used before: they constructed land. The Mexica constructed residential space in Tenochtitlan and Tlatelolco by consolidating and draining higher ground and by making artificial platforms that would serve as foundations for residential structures or garden plots. These artificial platforms were the renowned chinampas: rectangular platforms constructed of mud and decaying vegetation.<sup>25</sup>

The vegetation of the basin's lakes supported this technique because of their naturally intertwined roots. Indigenous peoples attached the artificial platforms to the bottom of the lake with piles made from trees. They used willows trees because their roots fixed the platforms in a permanent way. They placed each chinampa close to one another, but they left some space between to give way to irrigation canals. Then, people took mud out from the bottom of the canals that surrounded the chinampa, and they spread the mud, which was rich in organic nutrients, over the chinampa. By doing this

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190. Candiani, *Dreaming of Dry Land*, 20. Durán, *Historia de los indios de Nueva España* I (2002), 70, 82-83, 85, 87, 90, 91, 92.

<sup>24</sup> "...estaban y edificaban en sitio ageno, que aun el suelo no era suyo, pues era sitio y término de los de Azcapotzalco y de los de Texcuco; porque allí llegaban los términos del uno y del otro pueblo, y por la otra parte del Mediodía, términos de Culhuacan..." Durán, *Historia de los indios de Nueva España* I (2002), 92.

<sup>25</sup> Edward E. Calnek, "Settlement Pattern and Chinampa Agriculture at Tenochtitlan." *American Antiquity* 37, No. 1 (Jan., 1972): 105.



after each harvest, they created sustainable and fertile soil. They fertilized it even further with aquatic weeds and night soil. Over the years, the layers of mud spread on the platforms made the soil deeper and deeper until the chinampas were fixed to the bottom of the lake. In this way, floating platforms transformed into permanent ones. At first, water canals separated each chinampa from the others, but gradually, as their soil became attached to the bottom of the lake, they connected with each other, and thus gave way to solid ground.<sup>26</sup>

In Durán's account, sometime after the foundation of Tenochtitlan a group of four elders decided to found a new city. They looked in the surrounding swamps, and they found another small island. There they established their city; they named it *Xaltelulli*, and later, the name changed to Tlatilulco. In fray Juan de Torquemada's account, once Tenochtitlan was overpopulated, a group of Mexica (the Tlatelolca), who had had conflicts with the Tenochca since the migration, decided to move away from Tenochtitlan, and they founded their own city in a small, sandy island. For this reason, they called it *Xaltilulco* which means sand mound.<sup>27</sup> As the Tlatelolca constructed the

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<sup>26</sup> Toussaint et al., *Planos de la Ciudad de México*, 73. Pedro Armillas, "Gardens on Swamps." *Science* 174, No. 4010 (Nov. 12, 1971): 655. Candiani explained that a group of geophysicists led by Marcos Mazari concluded that in the middle of the island, the Mexica built a platform with rocks and earth that compressed the clay under the water and "provided a stable foundation for buildings." Candiani, *Dreaming of Dry Land*, 23.

<sup>27</sup> Durán, *Historia de los indios de Nueva España* I (2002), 94. Fray Juan de Torquemada, *Monarquía indiana* 1, (Mexico City: Editorial Salvador Chávez Hayhoe, 1943), 294.

land of their city with soil and stone, the name evolved from Xaltitlulco to *Tlatelulco* which they said means earth mound.<sup>28</sup>

Torquemada also stated that the construction of the base on which Tenochtitlan and Tlatelolco were founded took place in several stages. The reason for this was that the inhabitants of the island experienced repeated flooding, and they raised the level of the ground to prevent it.<sup>29</sup> As seen in the *Plano en papel maguey*, residential land, made up

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<sup>28</sup> “...los Tlatelulcas, divididos de los Mexicanos, fundaron su Ciudad en este Lugar dicho, el qual, en sus principios no se llamò, Tlatelulco, que quiere decir, Monton de Tierra, hechada à mano, ò Terrapleno, sino Xaltitlulco, que quiere decir, Monton de Arena, como en realidad la hallaron en este dicho Lugar, el qual es aora, el que cae en esta Plaça, sobre el qual esta puesta la Horca de los Malhechores; pero como despues se fueron cegando las Aguas con tierra, y Piedra, segun cada qual podia, perdiò el Nombre de Xaltitlulco, y cobrò el de Tlatelulco, que es el comun con que aora se nombra” Torquemada, *Monarquía indiana* 1 (1943), 295. According to James Lockhart, the term “Tlatelolco” was composed by the words *tlatelōlli* plus *-co*, whereas Rémi Siméon believed that it derived from the word *tlatelli*. Both Siméon and fray Alonso de Molina defined *tlatelli* as “montón de tierra grande.” James Lockhart, *Nahuatl as Written. Lessons in Older Written Nahuatl, with Copious Examples and Texts*, (Stanford: Stanford University Press, 2001), 238. Rémi Siméon, *Diccionario de la lengua náhuatl o mexicana*, (Mexico City: Siglo veintiuno editores, 1994), 650. Fray Alonso de Molina, *Vocabulario en lengua castellana/mexicana mexicana/castellana*, (Mexico City: Editorial Porrúa, 2001), 134.

<sup>29</sup> “El primer suelo sobre que esta Ciudad, fue a sus principios fundada, y despues continuada, no es el que aora tiene, porque como no entendieron, que podian crecer las Aguas, y anegarlos, no se curaron de levantarlo mucho de ellas, y por esta causa quedò algo bajo; y como la Laguna siempre estaba llena de Agua, por el cebo que de ordinario tenia de sus Rios, y Manantiales sucediò, que dos Leguas delante de la Ciudad, à la parte de el Mediodia, se abriò vn gran Manantial de Agua (como decimos en otra parte, por mandado de el Rei de Mexico) por donde salió tanta Agua, que en pocos dias hizo crecer las de la Laguna, y subir sobre el primer suelo de la Ciudad, vn estado en alto. Visto por los Vecinos, fueronse saliendo à la Tierra Barquillas, y dando orden, como cerrar aquel Manantial de Agua, fue asi hecho por traça de el Señor de Tetzcuco (como se dice en la Vida de los Señores, y Reies.) De esta ocasión, la tomaron de levantar el suelo, otro estado mas, que era lo que el Agua avia subido, y hicieron el Albarrada, con que atajaron, como con Muro, la violencia de las Aguas, para que si otra vez creciesen, no

of chinampas, was arranged in small plots where houses and gardens were located. The rectangular shape of the chinampas was the result of their alignment to canals and causeways. Each plot of land was surrounded on two or three sides by streets and on one or two sides by water canals. The regular arrangement of land plots must have surrounded the ceremonial centers that served as the nuclei of Tenochtitlan and Tlatelolco. Through the process of chinampa expansion, the separate islands of Tenochtitlan and Tlatelolco almost converged.<sup>30</sup>

Although the chinampa system was one of the most productive agricultural systems developed in Mesoamerica, it required a great deal of labor. Nahua peoples had to constantly rework or cultivate the chinampas' soil and sediment; they had to level agricultural fields, and they had to dredge the canals. However, climate fluctuation was responsible for the greatest variability in the productivity of the basin. The two seasons in the basin, as in the rest of Mesoamerica, were the rainy and the dry seasons. The first took place during the summer between June and October, while the latter occurred during the winter. Cultivation was a summer activity. Although the soil was quite fertile in the basin, agriculture faced serious challenges. Probably the most serious was the frost that took place during the winter. It is likely that there was only one harvest season because of the frosts. Furthermore, precipitation was not reliable. Droughts were common, and the

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llegase à enojar, ni hacer daño, y por este modo se aseguraron de otro segundo Diluvio, librandose con maña, de las fuerças de el primero” Torquemada, *Monarquía indiana* 1 (1943), 292.

<sup>30</sup>

Toussaint et al., *Planos de la Ciudad de México*, 155.

beginning of the rainy season could be delayed. A bad combination of the timing of rains and frost could have a catastrophic effect on the crops. For instance, if the rainy season started late in the year and the period of frosts started early, maize crops would be destroyed. In the other hand, if the inhabitants of the basin started to cultivate when the first rains took place in order to avoid the frosts, they could experience a period of drought that would kill the crops. For this reason, agriculture in the basin did not provide an entirely reliable subsistence.<sup>31</sup>

Since the chinampa system, even though highly productive, did not provide enough food for the inhabitants of Tenochtitlan and Tlatelolco, both Tenochca and Tlatelolca had to procure land and products from the mainland. Colonial documents suggest that both altepetl had engaged in extensive military activity to obtain tribute but also to hold land in the area that surrounded Lake Texcoco. Since subsistence problems were more serious in the north of the basin than in the south, having rights over land located outside the island was essential for the survival of the Tlatelolca.

The most fertile soil was found in the south because the rivers and springs that flowed from the mountains were perennial and the level of precipitation was high. These factors produced deep alluvium. In the north and center of the basin, the depth of the alluvial plain was very shallow, since there was only one perennial river in the north: the Cuauhtitlan River. Thus, low precipitation and severe frosts made irrigation agriculture and dry farming very difficult. Unfortunately, the shallow nature of the soil not only

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<sup>31</sup> Ezcurra et al., *The Basin of Mexico*, 28. Sanders et al., *The Basin of Mexico*, 82. Palerm, *México prehispánico*, 190.

made the north and center of the basin the least productive, but also the most subject to erosion. To make matters worse, northern lakes were also the most prone to drying. On the other hand, during the rainy season, the Cuauhtitlan River generated other rivers and streams that flowed into lakes Xaltocan and Ecatepec, which then flowed to Lake Texcoco (See Fig. I-9). As the level of water of Lake Texcoco rose, it would flood Tlatelolco first and then Tenochtitlan. Thus, the location of Tlatelolco was the least favorable in terms of the environment. It was located in the least productive agricultural area, it was prone to low precipitation, droughts, and erosion, and it was subject to flooding.<sup>32</sup>

The inhabitants of the island of Tenochtitlan-Tlatelolco had to survive in an adverse environment. They had founded their cities on an island that flooded, and they did not have enough good agricultural land to sustain their dense populations. To survive, they developed a complex hydraulic technology. Through “large-scale drainage and flood control technology,” they transformed marginal swampy land into intensive agricultural land, especially in the southern lakes of Chalco and Xochimilco.<sup>33</sup> The

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<sup>32</sup> Sanders et al., *The Basin of Mexico*, 86, 225. Rafael A. Strauss K., “El área septentrional del Valle de México: problemas agrohidráulicos prehispánicos y coloniales,” in *Nuevas noticias sobre las obras hidráulicas prehispánicas y coloniales en el Valle de México* (Mexico City: Instituto Nacional de Antropología e Historia, Centro de Investigaciones Superiores, Seminario de Etnohistoria del Valle de México, 1974), 141. John F. López, “‘In the Art of My Profession’: Adrian Boot and Dutch Water Management in Colonial Mexico City,” *Journal of Latin American Geography* 11 (Special 2012), 42. Candiani, *Dreaming of Dry Land*, 17-19, 23.

<sup>33</sup> Sanders et al., *The Basin of Mexico*, 176-177.

production of these fields was accompanied not only by the construction of chinampas, but also by that of “massive drainage ditches” and a system to prevent flooding in which dikes and sluice gates controlled the level of water.<sup>34</sup> The hydraulic system was, then, fundamental for the survival of Tenochca and Tlatelolca. For this reason, as seen in the *Ordenanza*, each community sought rights over the hydraulic structures that corresponded to their region. Rights over the hydraulic system were especially important for the Tlatelolca because commerce was one of their most important economic activities, and they needed to remain connected to the rest of the basin in order for their market to function.

Rights over the lake’s water were also fundamental for the subsistence of both communities because the lake provided the largest supply of protein to the inhabitants of the island and the basin in general. Intensive hunting and the change of soil use resulted in the extinction of game animals, such as “the ocelot, the pronghorn antelope, the mule deer, and the peccary.” Consequently, since the earliest occupation of the basin, the supply of animal protein became a problem because of its scarcity.<sup>35</sup> The lake therefore became the most important source of food. Aquatic fauna were abundant and dependable. The lake was so rich in fish that nets were used.<sup>36</sup> In addition, many waterfowl species,

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<sup>34</sup> Ibid.

<sup>35</sup> Ezcurra et al., *The Basin of Mexico*, 23, 26.

<sup>36</sup> The most popular species that the Mexica consumed were a group of white fish (*iztacmichin*) composed by 3 species: Amilotl (*Chirostoma humboldtianum*) --25-30 cm in length--, Xalmichin (*Chirostoma regani*) --15-20 cm long--, Xacapitzahuac

such as ducks, geese, swans, pelicans, cormorants, egrets, bitterns, herons, grebes, shorebirds, cranes, rails, and coots used the lacustrine environment as winter refuge. Reptiles and amphibians, such as toads, frogs, salamanders (one species was the *axolotl*), water snakes, and turtles were also numerous. The Mexica and other early inhabitants of the basin ate small algae, aquatic organisms, like shrimps, bird flies and bird flies' eggs collected in reeds located in the lake where the flies deposited their eggs.<sup>37</sup>

### **THE PREHISPANIC HYDRAULIC SYSTEM**

The development and construction of causeways-dikes, aqueducts, defense walls, and canals constituted the most complex water management system developed in Mesoamerica. Its structures fulfilled different needs: social, political, economic, ideological, and urban. And as mentioned before, one of their most important functions was to indicate territorial boundaries. The different structures that constituted the hydraulic system of the basin were part of a specific process. First, they enclosed an area of the lake adjacent to the island to separate it from brackish water. According to the season (rainy or dry), sluiceways would let water flow in or out from the encircled section. Hydraulic structures also served to connect fresh water sources such as rivers,

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(*Chirostoma jordani*. Now known as *charales*) --5-15 cm long--. These were dried and eaten as snacks. Ibid., 27.

canals or aqueducts with the enclosed part in order to ensure fresh water. The final stage of the process was the construction of chinampas within the enclosure.<sup>38</sup>

Causeways and defense walls were the most important elements of the system (See Fig. I-10). Radial causeways constituted the framework of the network; they connected the island with the mainland, and they also functioned as dikes that protected Tenochtitlan and Tlatelolco from flooding. Spanish chroniclers described four main causeways: one led to Ixtapalapa; another to Tlacopan; a third, to Tepeyac, and the last one was the Chapultepec Aqueduct, also used as a causeway. Two additional causeways were also of great significance. One ran from Tlatelolco to Tenayuca; the other from Tlatelolco to Tlacopan and to Azcapotzalco. The latter was also known as the Nonoalco Causeway.<sup>39</sup> Three of the six main causeways that constituted the basin's hydraulic system were located in Tlatelolco: the Tenayuca Causeway, the Nonoalco Causeway, and

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<sup>38</sup> William E. Doolittle, *Canal irrigation in prehistoric Mexico: The sequence of technological change* (Austin: University of Texas Press, 1990), 115; Palerm, *México prehispánico*, 110; Margarita Carballal Staedtler and María Flores Hernández, "Los derechos de agua de Tlatelolco durante los siglos XV y XVI: su límite oriente," *Arqueología. Revista de la Dirección de Arqueología del Instituto Nacional de Antropología e Historia*. Segunda Época, No. 11-12 (January-December 1994): 97; Carballal Staedtler and Hernández, "Hydraulic Features of the Mexico-Tetzaco Lakes during the Postclassic Period," 169; Strauss K., *Nuevas noticias sobre las obras hidráulicas*, 143.

<sup>39</sup> It intersected with the causeway to Tlacopan also known as Calzada Nonoalco. The causeway that led to Azcapotzalco followed the same direction as the modern Calzada de Camarones. González Aparicio, *Plano reconstructivo de la region de Tenochtitlan*, 51, 53; *Ordenanza del Señor Cuauhtémoc*, p. 28; Carballal Staedtler and Hernández, "Hydraulic Features of the Mexico-Tetzaco Lakes during the Postclassic Period," 164.



the Tepeyac Causeway. Before the political confrontation between Tenochtitlan and Tlatelolco in 1473, Tlatelolco controlled these three causeways, while Tenochtitlan controlled the other three (Tlacopan, Chapultepec and Ixtapalapa).<sup>40</sup>

According to Luis González Aparicio, the causeway from Tlatelolco to Tenayuca was the first to connect the island with the mainland. He believed that in the twelfth century, when Tenayuca was one of the most powerful altepetl in the basin, Tenayuca's Tepaneca ordered the Tlatelolca, who were their subjects, to construct the causeway. González Aparicio's evidence was that the causeway constituted a direct axis that connected Tenayuca's main temple, built in the twelfth century, to that of Tlatelolco.<sup>41</sup> Consequently, he also proposed that both temples were constructed around the same time period. Archaeologists Margarita Carballal Staedtler and María Flores Hernández have dated the construction of the Tenayuca causeway later, either at the end of the thirteenth century or the beginning of the fourteenth century. However, they also believe that this causeway preceded those in Tenochtitlan, for the latter were built in the fifteenth century. Other archaeological research also suggests that the foundation of Tlatelolco was in fact

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<sup>40</sup> Bernal Díaz del Castillo, *Historia verdadera de la conquista de la Nueva España* (Mexico City: Editorial Porrúa, 2002), 173; Torquemada, *Monarquía indiana* 1 (1943), 292; Hernán Cortés, *Cartas de Relación* (Mexico City: Editorial Porrúa, 1993), 62; fray Diego Durán, *Historia de los indios de Nueva España e Islas de la Tierra Firme*, (Mexico City: Editorial Porrúa, 1967), 22; Staedtler and Hernández, "Hydraulic Features of the Mexico-Tetzaco Lakes during the Postclassic Period," 166.

<sup>41</sup> According to Anthony F. Aveni and Sharon L. Gibbs, Tenayuca lies on longitude 99°11'W and Tlatelolco lies on longitude 99°08'W. Anthony F. Aveni and Sharon L. Gibbs, "On the Orientation of Precolumbian Buildings in Central Mexico," *American Antiquity* 41, No. 4 (Oct., 1976): 512.

earlier than that of Tenochtitlan.<sup>42</sup> The earliest ceramics found in Tenochtitlan are from the phase Aztec II, dated between the tenth and eleventh centuries; the earliest ceramics found in Tlatelolco correspond to the same phase and period. Nevertheless, the architectural characteristics of Tlatelolco's first main temple are very similar to phase II of Tenayuca's main temple. For this reason, other scholars concur with González Aparicio in the belief that the temple of Tlatelolco and that of Tenayuca were built close in time. Some also suggest that Tlatelolco's first main temple was built before that of Tenochtitlan.<sup>43</sup>

Several scholars suggest that the construction of the Nonoalco Causeway followed that of Tenayuca's causeway. Carballal Staedtler and Flores Hernández believe that it was built in the fourteenth century. During this period, under the rulership of Tezozomoc, Azcapotzalco rose to power. Tezozomoc installed his son, Quaquapitzahuac, as the ruler of Tlatelolco and gave a great deal of land to Tlatelolco.<sup>44</sup> As in previous centuries, the Tlatelolca and the Tepaneca continued to be close allies. However, the

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<sup>42</sup> The purpose of the archaeological excavations by the INAH that took place in Tlatelolco from 1965 to 1966 was to determine whether Tlatelolco's foundation was simultaneous, prior, or posterior to that of Tenochtitlan. Jorge V. Angulo, "Trabajos de exploración y conservación en Tlatelolco. Notas antiguas y comentarios recientes. Temporada 1965-1966," *Arqueología. Revista de la Dirección de Arqueología del Instituto Nacional de Antropología e Historia. Segunda Época*, No. 6 (July-December 1991): 111.

<sup>43</sup> González Aparicio, *Plano reconstructivo de la región de Tenochtitlan*, 51; Carballal Staedtler and Hernández, "Hydraulic Features of the Mexico-Tetzaco Lakes during the Postclassic Period," 166; Angulo, "Trabajos de exploración y conservación en Tlatelolco," 112-113.

<sup>44</sup> AGN, *Tierras*, Vol. 1, Part 1, ff. 1-246 and Part 2, ff. 1-255.

former were subject to the latter. For this reason, it is feasible that the Tepaneca directed the construction of the Tenayuca and Nonoalco causeways to satisfy their own needs. The Tenayuca and the Nonoalca causeways not only connected Tlatelolco with the Tepaneca, the former connected it with the Cuauhtitlan and the Tula regions; the latter, to the western part of the basin. At first, to reach Tlacopan and to other Tepaneca settlements, the Tenochca had to go to Tlatelolco. Later, circa 1466, the Tenochca constructed their own causeway to go to Tlacopan and its branch to Chapultepec.<sup>45</sup>

The Tepeyac Causeway was the third causeway located in Tlatelolca territory. Archaeologists believe that it was constructed in two stages. The first stage ended in 1429. The initial causeway ran from Tepeyac, a settlement located on the southern edge of the Guadalupe Ridge (*Sierra de Guadalupe*) on a peninsula that was located across from Tlatelolco, to a temple dedicated to *Tocic* (in/on our grandmother).<sup>46</sup> The construction of this section coincided with the construction of the Ixtapalapa Causeway, built circa 1432. After the Tenochca defeated the Tlatelolca in 1473, they extended the Tepeyac Causeway to Tenochtitlan on to the causeway that connected Tenochtitlan's main temple with Tlacopan. The Tepeyac Causeway became a major means of

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<sup>45</sup> González Aparicio, *Plano reconstructivo de la region de Tenochtitlan*, 52, 53-55; Staedtler and Hernández, "Hydraulic Features of the Mexico-Tetzaco Lakes during the Postclassic Period," 166; Durán, *Historia de los indios de Nueva España e Islas de la Tierra Firme* (1967), 53.

<sup>46</sup> Jorge Angulo pointed out that the church of Santa Ana (Jesus' grandmother in Christian ideology) was constructed over the original site of a temple dedicated to Tocic, "in, on our grandmother." Angulo, "Trabajos de exploración y conservación en Tlatelolco," 104.

communication. First, it connected Tlatelolco and Tenochtitlan.<sup>47</sup> The Tlatelolca, for instance, used it to take one of their main products to Tenochtitlan: salt. This causeway was also the most important connection to and from the north. For this reason, it was fundamental to the transportation of products from and to Tlatelolco's market. Another of its functions was to indicate the western boundary of Tlatelolco's water rights. Finally, along with the Ixtapalapa Causeway and the Ahuizotl defense wall (built circa 1499, and later known as San Lázaro), the Tepeyac Causeway constituted a system of dikes that permitted fresh water to surround the island.<sup>48</sup>

Dikes constituted another fundamental element of the basin's hydraulic system (See Fig. I-12). Their construction followed major floods that affected the island where

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<sup>47</sup> Durán and Torquemada suggest that Tlatelolco and Tenochtitlan were two separate islands, see footnote 20. According to Alberto Mena Cruz, Janis Rojas Gaytán, and María de Jesús Sánchez Vázquez, archaeological research also points to the existence of two separate islands. In fact, these archaeologists believe that the only point of connection between the two islands was the causeway that was located in what is now the Allende Street. They created a map to illustrate their hypothesis (see Fig. I-11). Alberto Mena Cruz, Janis Rojas Gaytán, and María de Jesús Sánchez Vázquez, "Propuesta para la configuración geográfica de la isla de Tlatelolco en el Posclásico," *Arqueología. Revista de la Dirección de Arqueología del Instituto Nacional de Antropología e Historia. Segunda Época*, No. 38 (May-August 2008): 82, 88.

<sup>48</sup> For more information on the Tepeyac Causeway, such as exact location, construction, and materials, see Sánchez Vázquez, 2001. María de Jesús Sánchez Vázquez and Alberto Mena Cruz, "Elementos arquitectónicos en el sur de Tlatelolco," *Arqueología. Revista de la Dirección de Arqueología del Instituto Nacional de Antropología e Historia. Segunda Época*, No. 26 (July-December 2001): 107; Carballal Staedtler and Hernández, "Hydraulic Features of the Mexico-Tetzaco Lakes during the Postclassic Period," 166; Durán, *Historia de los indios de Nueva España* (1967), 53; *Ordenanza del Señor Cuauhtémoc*, pp. 87-88; González Aparicio, *Plano reconstructivo de la región de Tenochtitlan*, 72.

Tenochtitlan and Tlatelolco were located. For instance, in the year 7 Tochtli, circa 1382, under the reign of Acamapichtli (r. 1367-1387), floods destroyed the island's chinampas. The Tenochca and Tlatelolca suffered from starvation. They survived on algae, snails, and sponges. The water did not recede until four years later, in the year 10 Calli. Until then, the Mexica relied on the lakes for food.<sup>49</sup> Further catastrophes prompted the Tlatelolca and the Tenochca to build defense walls that would protect the island from flooding.<sup>50</sup>

The oldest dike was built sometime before 1428, after the Mexica had defeated Azcapotzalco. It was called Tlaminiltli Atenamitl, and it ran from a place known as Coyoco near the dam known as Atzacotalco, located to the east of Tepeyac, to Tepetzinco, a hill located in the middle of Lake Texcoco, later known as Peñón de los Baños.<sup>51</sup> Since this first section was built entirely within Tlatelolco's territory, scholars such as Carballal Staedtler and Flores Hernández believe that the Tlatelolca built it. This dike had several

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<sup>49</sup> *Anales de Tlatelolco*, trans. Rafael Tena (Mexico City: Consejo Nacional para la Cultura y las Artes, 2004), 84-85.

<sup>50</sup> Alain Musset, "El siglo de oro del Desagüe en México, 1607-1691," in *Obras hidráulicas en América colonial* (Madrid: CEHOPU, 1993), 55.

<sup>51</sup> Unlike the term *atenamitl* which Molina defines as "ala de tejado" and Lockhart translates as "parapet or projection on a roof," the term *tlaminiltli* does not seem to have a clear definition. In fact, the closest term to this word in Molina is *tlamintli* which he defines as "cosa herida con saeta" (a thing hit with an arrow). Rémi Siméon defines the same word (*tlamintli*) as "traspasado por una flecha" (wounded by an arrow). On the other hand, Lockhart does not define the term. In his glossary, a related word seems to be *tlamini* which means "to finish." Molina, *Vocabulario en lengua castellana*, 7, 118. Rémi Siméon, *Diccionario de la lengua náhuatl*, 615. Lockhart, *Nahuatl as Written*, 237.

functions: to prevent flooding, to serve as a causeway, and to separate fresh water from brackish water. In this way, it had several economic benefits, such as improving fishing conditions and connecting Tlatelolco to the eastern region of the basin. However, it also had major political significance, for it served as a territorial boundary.<sup>52</sup>

According to the *Ordenanza del Señor Cuauhtémoc*, the Tlatelolca built this dike to prevent Tetzcoeca fishermen from entering Tlatelolco's part of the lake. They also had conflicts over water and land rights with the Tenochca. For this reason, circa 1435, the rulers of Tenochtitlan, Tlatelolco, and Tetzcoeco –Itzcoatl (r. 1427-1440), Cuauhtlatoa (r. 1428-1460), and Nezahualcoyotl (r. 1431-1472) agreed to reaffirm that the aforementioned dike was the boundary of Tlatelolco's water rights. They reestablished three reference points for the dike: the hill of Tepeyac, the above mentioned Coyoco, and Tepetzinco, and a road that ran from west to east from the middle of the island to Tepetzinco. This agreement also served to ratify Tenochtitlan's water rights to the south of Tepetzinco, and, indirectly, those of Tetzcoeco, to the east of the dike.<sup>53</sup>

During Moteuczoma Ilhuicamina's reign (r. 1440-1469), in 1449 another flood destroyed many of the altepetl's buildings, and, as in previous events, the water did not recede promptly. In view of the damage, Moteuczoma asked for the advice of the ruler of Tetzcoeco, Nezahualcoyotl, who suggested the construction of a wall made of wood and

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<sup>52</sup> Carballal Staedtler and Hernández, "Los derechos de agua de Tlatelolco," 108.

<sup>53</sup> *Ordenanza del Señor Cuauhtémoc*, ff. 10-12, pp. 148-161. Carballal Staedtler and Hernández, "Los derechos de agua de Tlatelolco," 99-101, 107.

stone that would stop the lake's water from flowing into the city. The Mexica organized the project, and they built it with the assistance of the communities of surrounding altepetl, who provided labor and resources.<sup>54</sup> They extended the dike that ran from Tepeyac to Tepetzinco southward to Ixtapalapa. This dike became the renowned Albarrada de Nezahualcoyotl.<sup>55</sup>

In 1980, the Mexican *Departamento de Salvamento Arqueológico* (Archaeological Salvage Department) wanted to determine whether the remains of the prehispanic and colonial hydraulic systems corresponded to the descriptions found in

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<sup>54</sup> “A los nueve años del reinado de Motecuhçuma crecieron tanto las aguas de esta laguna mexicana, que se anegó toda la ciudad y andaban los moraderos de ella en canoas y barquillas, sin saber que remedio dar ni como defenderse de tan gran inundación. Envió el rey sus mensajeros al de Tetzcuco... pidiéndole acudiese a dar alguna traza para que la ciudad no se acabase de anegar, porque ya estaban arruinados y caídos muchos de sus edificios. Neçahualcoyotl... vino con presteza a México y trató con Motecuhçuma que el mayor y más eficaz remedio del reparo era hacer una cerca de madera y piedra que detuviese las aguas para que no llegasen a la ciudad; y aunque pareció caso dificultoso haber de atajar el lago (como en realidad lo fue), viendo que por otra parte era eficaz remedio, húbose de tomar el consejo y poner en ejecución la cerca.

Llamaron para el Socorro de esto [al] rey de Tlacupan...[al] señor de Culhuacan... [al] señor de Itztapalapan y [al] de Tenayuca, los cuales todos juntos comenzaron la obra de la Albarrada vieja, que cierto fue hecho muy heroico y de corazones valerosos intentarla, porque iba metida casi tres cuartos de legua el agua dentro, y en partes muy honda y tenía de ancho más de cuatro brazas y de largo más de tres leguas. Estacáronla toda muy espesamente, las cuales estacas (que eran muy gruesas) les cupieron de parte a los tepanecas, coyohuaques, xochimilcas; y lo que más espanta es la brevedad con que se hizo, que parece que ni fue oída ni vista la obra, siendo las piedras con que se hizo todo de guijas muy grandes y pesadas, y trayéndolas de más de tres y cuatro leguas de ahí; con que quedó la ciudad, por entonces, reparada, porque estorbó que el golpe de las aguas salobres no se encontrara con esotras dulces, sobre que estaba fundada la ciudad ...” Torquemada, *Monarquía indiana* 1 (1943), 157-158.

<sup>55</sup> Carballal Staedtler and Hernández, “Los derechos de agua de Tlatelolco,” 108. Candiani, *Dreaming of Dry Land*, 24.

colonial codices and chronicles. The Albarrada de Nezahualcoyotl was one of the structures that Mexican archaeologists hoped to locate. To determine its locations, they first analyzed colonial documents, specifically maps, such as the *Ordenanza del Señor Cuauhtémoc* (1430-1523) and the *Map of Santa Cruz* (1555).<sup>56</sup> To identify the northern segment of the Albarrada de Nezahualcoyotl, the archaeologists compared the maps with aerial photographs. Then they compared their results with a gravimetric analysis of the basin of Mexico that the *Servicios Geofísicos S.A.* of the *Instituto Nacional de Investigación de México* made in 1953 to determine the distribution of igneous masses in the subsoil of the basin. The comparison was very surprising because, according to the gravimetric analysis, a geologic elevation runs from the hill of Tepeyac (now known as Sierra de Guadalupe), passes to the west of Tepetzinco, and continues to Ixtapalapa. This geologic formation coincides with the location that colonial documents gave for the dike (See Fig. I-13). For this reason, archaeologists Carballal Staedtler and Flores Hernández believe that the Mexica took advantage of the existing natural structure (the elevation) to build their dike.<sup>57</sup>

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<sup>56</sup> They also analyzed later maps such as the deslinde de tierras elaborado por Ildefonso Iniestra Vejarano (1762), the Plano de la hacienda de Santa Ana (1769), and the Relevamiento topográfico del santuario de Nuestra Señora del Tepeyac y sus accesos de 1694. Carballal Staedtler and Hernández, “Los derechos de agua de Tlatelolco,” 102.

<sup>57</sup> Carballal Staedtler and Hernández, “Los derechos de agua de Tlatelolco,” 97, 106, 107, 108.



During Ahuizotl's reign (r. 1486-1502), the Mexica built a second dike. Its construction followed another severe flood that occurred in 1499. This inundation was made worse due the construction of a canal to take water from Coyoacan to Tenochtitlan. For this reason, Ahuizotl was blamed for the disaster.<sup>58</sup> According to Torquemada, the construction of the dike coincided with the elevation of the land where the city was laid.<sup>59</sup> The Ahuizotl Dike (later known as Albarrada de San Lázaro) ran from the Tepeyac Causeway to the Ixtapalapa Causeway; it constituted a semicircle that protected the eastern part of the island, especially Tlatelolco (See Fig. I-14).<sup>60</sup>

The causeways and dikes constituted a radial system that protected the island from flooding and that connected it with the mainland. On the other hand, a network of canals formed the internal part of the hydraulic system. Irrigation, drainage, and navigation were the main functions of this network. There were three types of canals: main canals (*acequias madre*), secondary canals, and irrigation ditches. By the beginning of the sixteenth century, five main canals took river water to the island of Tenochtitlan-Tlatelolco. Rivers originating in the mountain ridges west of the basin flowed east into it. The main function of the main canals was to collect water from these rivers and to drain

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<sup>58</sup> *Códice Chimalpopoca*, trans. Primo Feliciano Velázquez (Mexico City: Universidad Nacional Autónoma de México, Instituto de Investigaciones Históricas, 1975), 58.

<sup>59</sup> Torquemada, *Monarquía indiana* 1 (1943), 292.

<sup>60</sup> Valle thinks that it started in Coyoacazco (later Peralvillo) in the Tlatelolca barrio of Amaxac. *Ordenanza del Señor Cuauhtémoc*, p. 83. Palerm, *México prehispánico*, 317.

it to the east of the Ahuizotl Dike. The freshwater rivers also reduced the salinity of the water surrounding the city, and facilitated navigation. A system of secondary canals flowed from the north to the south.<sup>61</sup> These canals took water into the west-east main canals. Although the former were smaller than the latter, they had the same functions: drainage, transportation, and communication. Sometimes these secondary canals carried water directly to the fields; on other occasions, they distributed water to ditches (*zanjas*), which in turn took water to the chinampas. Unlike canals, ditches were small and crudely built, and they were used only for irrigation and drainage. The main canals, the secondary canals, and the Tlacopan Causeway divided the land of the island into long rectangular areas. Despite some irregularities, this rectangular pattern extended into the rest of the city. The purpose of the entire system was to provide fresh water to the city, as well as to serve as a means of communication and transportation.<sup>62</sup>

Two of the five main canals were located in Tlatelolco: Tezontlalli and Nonoalco (later known as Santa Ana).<sup>63</sup> Both constituted a major means of communication between

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<sup>61</sup> William Doolittle referred to all these types of secondary canals as branch canals. Doolittle, *Canal irrigation in prehistoric Mexico*, 15.

<sup>62</sup> Ibid., 13-14, 17. Palerm, *México prehispánico*, 193. María de Jesús Sánchez Vázquez and Alberto Mena Cruz, "El Canal de Lerdo-Acequia de los toltecas y la Calzada de Tacuba," *Arqueología. Revista de la Dirección de Arqueología del Instituto Nacional de Antropología e Historia. Segunda Época*, No. 27 (January-June 2002): 53. Calnek, "Settlement Pattern," 109. Staedtler and Hernández, "Hydraulic Features of the Mexico-Tetzaco Lakes during the Postclassic Period," 169. *Ordenanza del Señor Cuauhtémoc*, p. 28.

<sup>63</sup> The others were the Acequia del Carmen, Real Acequia, Xoloco or San Antonio Abad. There was a sixth canal that flowed south to Xochimilco: La Viga. Calnek, "Settlement Pattern," 109. *Ordenanza del Señor Cuauhtémoc*, p. 28.

Tlatelolco and the surrounding communities (See Fig. I-15). One of the most important products transported was drinking water.<sup>64</sup> The Tezontlalli Canal also played a significant political function. Like other hydraulic structures, it marked a boundary between Tlatelolco and Tenochtitlan. According to Torquemada:

...se amojonaron los Tenochcas y Tlatelulcas, haciendo vna mui grande, y mui ancha Zanja, que dividió los vnos de los otros, y metieron el Agua en la Plaza, y Mercado de esta dicha parte de Tlatelolco, concurriendo a su obra, todos juntamente por ser el Mercado, comun a vnos y a otros...<sup>65</sup>

This canal separated the islands of Tlatelolco and Tenochtitlan; they were connected only by a causeway that ran below the present-day street of Allende.<sup>66</sup> In September 1995, during the construction of the Lagunilla metro station, archaeologists found the remains of the Acequia del Tezontlalli.<sup>67</sup> The remains furnished information about the dimensions, materials, and stages of construction. The archaeologists concluded that the Tezontlalli Canal flowed east into a water reservoir later known as La Lagunilla (See Fig. I-16). This lagoon was in fact a branch of Lake Texcoco that went into the island close to Tlatelolco's main temple, in the barrio of Atezcapan. The Tezontlalli

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<sup>64</sup> *Ordenanza del Señor Cuauhtémoc*, p. 59.

<sup>65</sup> Torquemada, *Monarquía indiana* 1 (1943), 164. Fray Juan de Torquemada, *Monarquía indiana* Vol. 1 (Mexico City: Universidad Nacional Autónoma de México, Instituto de Investigaciones Históricas, 1975), 227-228.

<sup>66</sup> Mena Cruz, "Propuesta para la configuración geográfica de la isla de Tlatelolco en el Posclásico," 82.

<sup>67</sup> Five bridges crossed the acequia. For locations and names of these bridges see, Sánchez Vázquez et al., "Elementos arquitectónicos en el sur de Tlatelolco," 108, 109.

Canal flowed into the lagoon and continued to the other end of the island into Lake Texcoco. Torquemada suggests that the water of the Tezontlalli went to the plaza where the market was located. This coincides with the archaeological findings that suggest that the canal led into La Lagunilla, which the Tlatelolca used as a wharf where canoes would unload and load products that went to the renowned Tlatelolco market.<sup>68</sup>

Archaeological research also revealed that La Lagunilla was not a single water reservoir, but two natural pools separated by a natural elevation. The Tlatelolca used the natural elevation to build the road to the market. Before 1473, this road connected the market to La Lagunilla and the Tezontlalli Canal. However, after the Tenochca defeated the Tlatelolca, Tlatelolco's market became the most important one for the entire island. Perhaps it was that La Lagunilla and the Tezontlalli Canal made Tlatelolco's market's

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<sup>68</sup> Sánchez Vázquez et al., "Elementos arquitectónicos en el sur de Tlatelolco," 103-104. María de Jesús Sánchez Vázquez and Alberto Mena Cruz, "El camino al tianguis prehispánico de Tlatelolco, en la Isla de México," *Arqueología. Revista de la Dirección de Arqueología del Instituto Nacional de Antropología e Historia. Segunda Época*, No. 26 (July-December 2001): 139. Mena Cruz, "Propuesta para la configuración geográfica de la isla de Tlatelolco en el Posclásico," 82, 87. Although first used as a landfill, the Lagunilla became a very popular open market during the nineteenth century and up to the 1950s. It was located on the streets known today as Ecuador and Costa Rica. Later, the market at La Lagunilla was moved from its original location to another building located 300m to the east. Tepiton was another neighborhood related to the commercial activity of the Lagunilla. It was named after the narrowest part of the lake branch that went into the island, for Tepiton means "pequeño, achicado, delgado." Sánchez Vázquez and Mena Cruz, "El camino al tianguis prehispánico de Tlatelolco," 142. Angulo, "Trabajos de exploración y conservación en Tlatelolco," 104. According to fray Alonso de Molina, *tepito* means "cosa pequeña o poca cosa." Molina, *Vocabulario en lengua castellana*, 103.

accessible through water. In other words, canoes unloaded their products a very short distance from the market.<sup>69</sup>

During the excavation of La Lagunilla, archaeologists found the remains of a prehispanic road that was also used during the colonial period (See Fig. I-17). They believe that this was the road that connected the market of Tlatelolco to the Tezontlalli Canal, and that it followed what is now the Calle Allende. This road was also connected to the Tlacopan Causeway. They believe that it was constructed in two stages. The first was built before 1473, when Tlatelolco was independent. It went from the market to the Acequia del Tezontlalli. After the defeat of the Tlatelolca in 1473, it was extended and connected to the Tlacopan Causeway. The purpose was to connect the people from the south and western parts of the basin of Mexico with the Tlatelolco market.<sup>70</sup>

Tlatelolco's environment was adverse in many ways: it was prone to flooding and to drought; it was surrounded by brackish water, and it was isolated from the mainland. However, the Tlatelolca overcame these obstacles. Along with the Tenochca, they built a hydraulic system that allowed them to control the level of the lake, to create arable and residential land, and to have an effective means of transport and communication. In fact, the causeways and canals of Tlatelolco connected it so well to Tenochtitlan and to the rest of the basin that its market became the most renowned commercial center of the region until the arrival of the Spaniards. Unfortunately for its residents, Tlatelolco's

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<sup>69</sup> Sánchez Vázquez and Mena Cruz, "El camino al tianguis prehispánico de Tlatelolco," 139, 152.

<sup>70</sup> Ibid., 139, 141, 142.

strategic hydraulic system also played a significant role in the battle between the Mexica and the Spaniards.

### **THE HYDRAULIC SYSTEM AND THE SPANISH CONQUEST**

The strategic importance of the water management system in central Mexico was never as evident as during the so-called conquest. From the beginning, Hernando Cortés realized that the lacustrine environment was the greatest risk that his army and his allies would face. For the Mexica, this environment was at the same time their greatest advantage and their greatest disadvantage. Both Spaniards and indigenous peoples realized that the best strategy to win the war was to gain control of the hydraulic system.

Perhaps Cortés's understanding of the dangers posed by the environment arose from the events that took place during the *Noche Triste* (Night of Sorrows). War between the Mexica and the Spaniards broke after the massacre that the Spaniards perpetrated against natives during the feast of Toxcatl. The Mexica attacked the Spaniards for seven days, and they besieged them for twenty-three more days. During this time, the Mexica made the water canals deeper and larger, and they built walls to block the roads. They also raised the city's bridges. Cortés proposed a truce, but the Mexica refused. They told Cortés that they had destroyed the causeways leading out of the city, and that they intended to besiege the Spaniards until they ran out of food and drinking water. In the fighting that followed, both the Mexica and the Spaniards attempted to gain control of the city's hydraulic structures. At some point the Mexica had eight bridges under their control, but the Spaniards captured four of them. Then, the Mexica set a trap. They told Cortés that if he promised not to punish them, they would end the siege and rebuild the bridges and causeways that they had destroyed. Cortés agreed and pulled back. But

instead of retreating, the Mexica recaptured the bridges and resumed the attack. By then the situation of Cortés and his forces was so desperate that they decided to flee. In order to do so, Cortés ordered his men to construct a bridge, for the Mexica had destroyed all the others. When the Spaniards were crossing the causeway to Tlacopan, a woman warned the Mexica. With their canoes, the Mexica managed to surround the Spaniards and their allies by water, and many of them drowned (See Fig. I-18.)<sup>71</sup>

The Noche Triste anticipated the strategies that the Mexica would follow in the war against the Spaniards. They felt comfortable fighting on the water. In canoes, they could rapidly surround the Spaniards and their allies. In addition, the Mexica could control and manipulate the hydraulic system. On their way back to Tenochtitlan from Tlaxcala, the Spaniards entered Ixtapalapa, an altepetl located to the south of the island. Since the inhabitants of Ixtapalapa had allied with the Mexica, Cortés decided to attack them. On the way to Ixtapalapa, he observed a causeway-dike that separated the brackish from the fresh water. He also noticed that this causeway had been opened and that, consequently, brackish water was running into the fresh-water lake. At the time, he did not understand its significance. When the Spaniards and their allies approached, the inhabitants of Ixtapalapa abandoned their houses and fled. Cortés and his forces thought that they had won, and they settled for the night. Soon, the altepetl began to flood and the

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<sup>71</sup> Fr. Bernardino Sahagún, *Historia general de las cosas de Nueva España* Book 12 (Mexico City: Editorial Porrúa, 2006), 716, 718. Hernán Cortés, *Cartas de Relación* (Mexico City: Editorial Concepto, 1989), 161-171. Miguel León-Portilla, *Visión de los vencidos. Relaciones indígenas de la conquista* (Mexico City: Universidad Nacional Autónoma de México, 1982), 137.

Spanish forces had to flee for their lives. The people from Ixtapalapa had altered the flow of two irrigation ditches into the altepetl, and they had also opened the causeway, allowing the flow of excess water into Ixtapalapa.<sup>72</sup>

Later, Cortés tried to get to Tenochtitlan by the Tlacopan Causeway. Again, innumerable canoes surrounded him, but the Spaniards and their allies continued to advance until they got to a defense wall that the Mexica had built over the causeway to block them. Cortés was forced to retreat. By then, indigenous strategies were evident. Natives blocked causeways and destroyed bridges to trap the Spaniards and their allies, while by water the Mexica surrounded the Spaniards and attacked them. These strategies were especially deadly for the Spaniards because they were accustomed fighting on open land. One of the main reasons for this was that Spaniards relied so much on their cavalry. Hence, they preferred to use causeways, but these roadways made them easy targets for the Mexica who traveled by canoe. The Spaniards also needed high ground to retreat with their cavalry to regroup. These difficulties forced the Spaniards and their allies to revise their strategies.<sup>73</sup>

During his stay in Tlaxcala after the Noche Triste, Cortés decided to attack the Mexica by water. He ordered the construction of thirteen brigantines. He believed that

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<sup>72</sup> Cortés, *Cartas de Relación* (1989), 214. Bernal Díaz del Castillo, *Historia verdadera de la conquista de la Nueva España* (Mexico City: Editorial Porrúa, 1966), 268.

<sup>73</sup> Cortés, *Cartas de Relación* (1989), 247.



using the lake would present a great advantage in an offense against Tenochtitlan.<sup>74</sup> In fact, he considered the ships as his key weapon against the Mexica.<sup>75</sup> Canoes that navigated across the hydraulic system constituted the most important military force of the indigenous people. Brigantines seemed the only effective countermeasure.

When the Spaniards and their allies entered Ixtapalapa by boat, an estimated five hundred canoes surrounded them. It was then that the Mexica discovered the danger that the strange boats posed. The Spaniards reversed the Mexica strategy: they surrounded the canoes and attacked them with gunfire to break apart canoe fleets. As more indigenous allies joined Cortés, the naval power of the Spaniards increased, for then both the brigantines and large fleets of allied canoes surrounded and attacked the Mexica. The use of boats turned especially deadly when combined with ground attacks. Cortés organized his men and his allies into land and water forces. He sent his best men to lead land attacks in different parts of the city, while he led the brigs into attack. The initial plan was that his men would start the attack by land. He would follow in the rear with the brigantines, and eventually the two detachments would meet each other. His strategy proved effective because the arrival of the brigantines raised the spirit of the Spaniards and the indigenous allies who fought on the ground. The final confrontation took place on the day of San

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<sup>74</sup> Ibid., 199.

<sup>75</sup> “... y se hiciese de manera que ellos cobrasen mucho temor de los bergantines, porque la llave de toda la guerra estaba en ellos, y donde ellos podían recibir más daño, y aun nosotros también, era por el agua...” Ibid., 259.

Hipólito (August 13, 1521). Cortés attacked by land, whereas Gonzalo de Sandoval and Ixtlilxochitl assaulted the natives by water.<sup>76</sup>

The Spaniards also used brigantines to destroy the basin's dikes and canals. Brigantines could break down causeways and albarradas. In this way they overcame one of the most important strategies that the Mexica used against the Spaniards and their allies: to block their passage. Finally, brigantines played a major role in the siege against Tenochtitlan and Tlatelolco. The siege started when Cortés and his men cut off Tenochtitlan's water supply. On Cortés's command, two Spanish captains and a detachment of soldiers went to the spring where the drinking water of Tenochtitlan originated, and destroyed the wood and lime pipes that took the water to the city.<sup>77</sup> However, to maintain the siege, the Spaniards and their allies had to seize main and secondary causeways, and this proved to

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<sup>76</sup> Gonzalo de Sandoval was one of the conquerors who came from Cuba with Cortés in 1519. He remained a close ally of Cortés. Ixtlilxochitl was Tetzaco's tlatoni. His alliance with Cortés was fundamental in the defeat of the Mexica. Ixtlilxochitl also exemplifies the way indigenous rulers used the Spanish presence as leverage against the Mexica. Cortés, *Cartas de Relación* (1989), 258, 259, 262, 277, 254, 260. León-Portilla, *Visión de los vencidos*, 133-134. Robert Himmerich Y Valencia, *The Encomenderos of New Spain 1521-1555* (Austin: University of Texas Press, 1996), 26, 239. Ross Hassig, "The Collision of Two Worlds," in *The Oxford History of Mexico*, eds. Michael C. Meyer and William H. Beezley (New York: Oxford University Press, 2000), 102-103.

<sup>77</sup> "Otro día de mañana los dos capitanes acordaron, como yo les había mandado, de ir a quitar el agua dulce que por caños entraba a la ciudad de Temixtitlan; y el uno dellos, con veinte de caballo y ciertos ballesteros y escopeteros, fué al nacimiento de la fuente que estaba un cuarto de legua de allí, y cortó y quebró los caños, que eran de madera y de cal y canto y peleó reciamente con los de la ciudad, que se le defendían por la mar y por la tierra; y al fin los desbarató, y dió conclusion a lo que iba, que era quitarles el agua dulce que entraba a la ciudad, que fué muy grande ardid." Cortés, *Cartas de Relación* (1989), 255.

be a major challenge. At first, the Mexica's strategy was to control the two causeways used to get supplies from the mainland, but when Pedro de Alvarado informed Cortés of this tactic, the Spanish captured the causeways. Nonetheless, the siege continued to be ineffective because natives used canoes to go ashore. Cortés then used the brigs to capture the canoes. The siege lasted eighty days, and the Mexica starved. They ate roots, weeds, wood, stones, lizards, mice, worms, soil, and they drank bloody nitrate water. Once everything was lost, the Mexica fled Mexico Tenochtitlan by water.<sup>78</sup>

The use of brigantines highlights the significance of the lacustrine environment and of the causeways, canals, and dikes in military maneuvers, which became more evident in Tlatelolco during the final stage of the war. A close reading of the accounts of the conquest reveals that both sides fought over every inch of the water management system. The Spaniards tried to either preserve or construct solid land, whereas the Mexica attempted to block their passage over that same ground. The former's strategies consisted of guarding causeways, filling in canals, and building bridges. The latter's strategies were to break down causeways, to build defensive walls, to destroy the bridges that the Spaniards built, and to dig out what the Spaniards and their allies filled in.

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<sup>78</sup> Cortés, *Ibid.*, 262, 255, 264, 270, 301. Bernal Díaz del Castillo, *Historia verdadera de la conquista de la Nueva España* (Mexico City: Editorial Porrúa, 2007), 356, 359. León-Portilla, *Visión de los vencidos*, 136. Angel María Garibay K., *Historia de la literatura náhuatl* (Mexico City: Editorial Porrúa, 2000), 477, 589. *Anales de Tlatelolco*, 115.

Once the war turned against the Mexica, the Tenochca and the Tlatelolca retreated to Tlatelolco. As before, the Spaniards tried to attack on the causeways. For twenty days, Cortés's allies, the Huexotzinca and the Tlaxcalteca, fought against the Tlatelolca on the Nonoalco Causeway. The Tlatelolca held the causeway until the Spanish brigantines arrived.<sup>79</sup> Thus, the Tlatelolca were defeated.<sup>80</sup> Cortés and his lieutenant Pedro de Alvarado turned their attention to Tlatelolco's market. Both recognized that to gain control over the entire city, they first had to take the market. To reach it, the Spaniards and their allies had to seize the roads that connected Tenochtitlan to Tlatelolco as well as the bridges and causeways that crossed these roads. It is very likely that these roads were next to canals, for in his description of streets in his *Cartas*, Cortés stated that they were half on land, and half in water: "Son las calles della, digo las principales, muy anchas y muy derechas, y algunas destas y todas las demás son la mitad de tierra, y por la otra mitad es agua."<sup>81</sup>

One of these roads ran from Tenochtitlan's main temple to Tlatelolco's market. The other two roads were secondary, running from Tlacopan's causeway

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<sup>79</sup> In the *Anales de Tlatelolco*, the Tlatelolca complain of the cowardice of the Tenochca. According to the Tlatelolca, the Tenochca neither defended the causeways nor guarded the canals. *Anales de Tlatelolco*, 107, 109.

<sup>80</sup> After their defeat at Nonohualco Causeway, the Tenochca took their effigy of Huitzilopochtli to Tlatelolco's temple. *Anales de Tlatelolco*, 107.

<sup>81</sup> The main streets were wide and straight, some were half on land and half on water. The translation is mine. Cortés, *Cartas de Relación* (1989), 129, 281-282.

to the market. According to Alejandro Alcántara Gallegos, the three canals that crossed these roads were the Acequia del Apartado, the Acequia del Tezontlale, and the Acequia de Santa Ana. To win the main road, Cortés sent seventy Spaniards on foot, seven or eight on horse, and some twenty thousand indigenous allies. He sent smaller detachments along the two secondary roads. Finally, Cortés gained control of Tlacopan Causeway and of the main street to Tlatelolco's market. These actions proved essential in securing the city, for they allowed Cortés, who was in Tenochtitlan, to join Pedro de Alvarado, who was approaching Tlatelolco. As Cortés moved forward into Tlatelolco, his men captured bridges, destroyed defense walls, and began to fill in canals.<sup>82</sup>

At the beginning of the war between Cortés's forces and the Mexica, filling in ditches and building bridges were ineffective. The Spaniards did not have enough troops to guard ditches and bridges during the night. Thus, every night the Mexica opened and destroyed what the Spaniards had filled in or constructed during the day. Later, in Tlatelolco, filling in canals and ditches became a successful strategy for the Spanish. The Tlatelolca had built defensive walls to block water canals, but the Spaniards destroyed them with their artillery. Then, their indigenous allies filled them in with stone, adobe, soil, and logs. This

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<sup>82</sup> Alejandro Alcántara Gallegos, "Las zonas residenciales de Tenochtitlan según las fuentes coloniales" (B.A. thesis, Universidad Nacional Autónoma de México, Facultad de Filosofía y Letras, 2006), 30. Cortés, *Cartas de Relación* (1989), 282, 283, 302.

permitted the Spaniards to bring their horses into Tlatelolco. According to Sahagún, one of the Tlatelolca canals filled in by the Spanish allies was called Quauecatitlan.<sup>83</sup> The Spaniards even filled in a lagoon located in Tlatelolco, close to the colonial church of Santa Lucía, undoubtedly a reference to La Lagunilla.<sup>84</sup>

In Tlatelolco, the battle over control of the canals continued to be fierce. Inhabitants of the Yacacolco *barrio* (Spanish term for a constituent of an altepetl or *tlaxilacalli*) fought against the Spaniards to prevent their entrance into Tlatelolco. They fought so fiercely that they forced the Spanish captains to retreat to the opposite side of a canal named Amaxac. Once Cortés had secured the roads that led to Tlatelolco's market as well as the bridges and the canals that surrounded it, he continued his advance. After they gained control of a wide waterway, the Spaniards filled it in so that his cavalry could come into the city of Tlatelolco. This time, the Tlatelolca did not remove the fill. Consequently, next day, Cortés and his troops took over two large canals, and they continued moving forward to the market. Alvarado got to Tlatelolco's market before Cortés, for Cortés had one more canal and one more defense wall to overcome. Once both

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<sup>83</sup> Sahagún, *Historia general de las cosas de Nueva España* Book 12, 728, 723, 726. Cortés, *Cartas de Relación* (1989), 274.

<sup>84</sup> “Después de esto, todos los indios amigos, y enemigos de los mexicanos que tenían cercados a éstos, concertaron de cegar una laguna que les hacía mucho embarazo para entrar al fuerte de los mexicanos, que estaba cerca de donde está ahora la iglesia de Santa Lucía, y así otro día muy de mañana cargáronse de piedras, y de tierra y de adobes, y de la madera de las casas que derrocaban, y robaban todas las casas que estaban por allí cerca” Sahagún, *Historia general de las cosas de Nueva España* Book 12, 729.

Cortés and Alvarado gained control of the market, they brought in the brigantines. The brigs entered the lagoon where the Tlatelolca wharf was located, the aforementioned La Lagunilla. The troops on the brigantines captured Quauhtemoc, the ruler of Tenochtitlan and Tlatelolco, who was attempting to flee. The use of waterways, then, was even more evident in Tlatelolco. The Mexica's final defeat took place only after the Spaniards controlled and manipulated the hydraulic system. Tlatelolco's market had become the most important commercial center of the island because of its strategic access by water.<sup>85</sup> Ironically, even if only at the very end, Tlatelolco's key location permitted the entrance of the Spaniards, their allies, and above all, their brigantines (See Fig. I-19).<sup>86</sup>

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<sup>85</sup> Sahagún, *Historia general de las cosas de Nueva España* Book 12, 728. Cortés, *Cartas de Relación* (1989), 302, 304, 313-316.

<sup>86</sup> In the seventeenth century, the causeways of Mexico City continued to be militarily significant. On April 17, 1612, Spanish authorities feared that runaway slaves from Acapulco and Veracruz would come to Mexico City to initiate a revolt. They therefore placed soldiers on causeways and canals: "Today on the second day [of Holy Week], on the said Holy Tuesday the 17<sup>th</sup> of the month of April, was when here outside [the church of] San Antón in Xoloco many Spanish warriors, soldiers, came and were stationed on the highway to stand guard with their arms. Likewise many additional soldiers went and were stationed on the highway toward Tepeyac, going to Coyonacazco, and likewise a great many soldiers were stationed on the road toward Chapoltepec, at the [group of houses?] at Temetzacruztitlan, [p. 184] and all the roads everywhere coming into the city of Mexico they stood guard, absolutely everywhere all around outside the houses in the whole city of Mexico. And everywhere on the great canals they stood guard and looked out for where the blacks would come from who were coming to kill the Spaniards, because it was said that the black renegades who had established themselves at Acapulco would come from the seashore, and that some blacks who had turned renegade and run away from Mexico here, leaving their masters behind, would come here from Veracruz." Don Domingo de San Antón Muñón Chimalpahin Quauhtlehuanitzin, *Annals of His Time*, eds. James Lockhart, Susan Schroeder, and Doris Namala (Stanford: Stanford University Press, 2006), 217.

## THE COLONIAL HYDRAULIC SYSTEM

The ambiguity of Spanish authorities towards indigenous water management structures shaped the development and management of Mexico City. On one hand, they used causeways as the principal axes of the city. On the other, they neglected and even damaged dikes and canals. Documents and maps suggest that by the seventeenth century, the main prehispanic causeways continued to exist. The Tepeyac Causeway, the Ixtapalapa Causeway, and the Tlacopan Causeway continued as a principal network for communication, transport, and flood protection.<sup>87</sup> In addition, the Tepeyac Causeway, along with the causeways from Santiago Tlatelolco to Tenayuca and to Azcapotzalco, constituted a second important network that protected the city from flooding.<sup>88</sup> However, flooding continued to afflict the city.

As mentioned before, in 1604 flood waters destroyed the Tepeyac Causeway. Viceroy don Juan de Mendoza y Luna (r. 1603-1607) ordered fray Juan de Torquemada to repair it with the labor provided by the inhabitants of San Juan Tenochtitlan, Santiago Tlatelolco, and surrounding communities. Torquemada was then Guardian of the

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<sup>87</sup> Fernando de Cepeda, Fernando Alfonso Carrillo, and Juan de Álvarez, *Relación universal* (Mexico City: Imprenta de Salbago, 1637), f. 3v. Ola Apenes, *Mapas antiguos del Valle de México* (Mexico City: Universidad Nacional Autónoma de México, Instituto de Historia, 1947), plates 14, 15, 16. López, “‘In the Art of My Profession’: Adrian Boot and Dutch Water Management in Colonial Mexico City,” 40.

<sup>88</sup> Like these networks, the causeway that went from Coyoacan to the Ixtapalapa Causeway also provided protection against flooding. Palerm, *México prehispánico*, 435.



Franciscan friary at Santiago Tlatelolco, and he was in charge of the reconstruction of its church. According to Torquemada, between fifteen hundred and two thousand natives worked on the renovation of the causeway, completing it in five months.<sup>89</sup> The effort employed in the reconstruction of this causeways attests to the significance it maintained during the viceroyalty. As the devotion to the Guadalupe Virgin increased, so too did the importance of the Tepeyac Causeway. It also became the road by which the new viceroys entered Mexico City. In fact, it became a tradition for the new viceroy to spend one night at the Villa de Guadalupe.<sup>90</sup>

The neglect that the Albarrada de Nezahualcoyotl and the Albarrada de Ahuizotl experienced probably accounted for the floods that the city suffered after the arrival of the Spaniards. During the battles between the Spaniards and the Mexica, both dikes were damaged. The Albarrada de Nezahualcoyotl was practically destroyed. Although this dike still appears in the map that Francisco Cervantes de Salazar made in the seventeenth century, in 1620 members of Mexico City's *cabildo* (city council) wanted to use the remaining dike as construction material for the streets, canals, and bridges of the city. According to a manual for architects in New Spain, by the eighteenth century the

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<sup>89</sup> During the same period of time, other causeways were also renovated; for instance, the San Cristóbal Causeway, the San Antón Causeway, the Chapultepec Causeway, the road to Atlixocan. Furthermore, in 1605, indigenous workers raised up all of the causeways in the city. Despite all efforts, the city flooded again in 1607. Chimalpahin Quauhtlehuanitzin, *Annals*, 83-85. Torquemada, *Monarquía indiana* 1 (1943), 728-729.

<sup>90</sup> *Ordenanza del Señor Cuauhtémoc*, pp. 87-88.

Albarrada de Nezahualcoyotl, also known as Albarrada Vieja, was in ruins, and thus, functionless.<sup>91</sup>

The Albarrada de Ahuizotl suffered a similar fate. At first, Spanish authorities decided to dismantle it and to use its remains as construction material, but after the 1555 flood, Viceroy don Luis de Velasco I (r. 1550-1564) ordered its reconstruction.<sup>92</sup> After its renovation it was known as Albarrada de San Lázaro because it went by the Hospital of San Lázaro. This dike constituted a continuous structure that protected the city on its east side.<sup>93</sup> During the battles with the Mexica, Spaniards began to fill in canals, and they continued with this practice. However, they soon experienced a negative effect of this

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<sup>91</sup> Teresa Rojas Rabiela, “Aspectos tecnológicos de las obras hidráulicas coloniales,” in *Nuevas noticias sobre las obras hidráulicas prehispánicas y coloniales en el Valle de México* (Mexico City: Instituto Nacional de Antropología e Historia, Centro de Investigaciones Superiores, Seminario de Etnohistoria del Valle de México, 1974), 118-119. *Architectural Practice in Mexico City. A Manual for Journeyman Architects of the Eighteenth Century*, trans. Mardith K. Schuetz (Tucson: The University of Arizona Press, 1987), 40. Ola Apenes, *Mapas antiguos del Valle de México*, plate 18. Palerm, *México prehispánico*, 242-245.

<sup>92</sup> Cepeda, *Relación universal*, f. 4v. Torquemada, *Monarquía indiana* 1 (1943), 618-629. Chimalpahin Quauhtlehuanitzin, *Annals*, 83.

<sup>93</sup> Palerm, *México prehispánico*, 317. *Ordenanza del Señor Cuauhtémoc*, p. 84. Rojas Rabiela, “Aspectos tecnológicos de las obras hidráulicas coloniales,” 46. Candiani, “Draining the basin of Mexico, 1608-1808,” 12. Candiani, *Dreaming of Dry Land*, 31. José Fernando Ramírez, *Memoria acerca de las obras e inundaciones en la ciudad de México* (Mexico City: Instituto Nacional de Antropología e Historia, 1976), 39. González Aparicio, *Plano reestructivo de la region de Tenochtitlan*, 34.

Spanish sources, such as the eighteenth-century manual for architects in New Spain suggest that Spaniards believed that the Albarrada de San Lázaro was a new dike that had been built to replace the indigenous one, i.e., the Albarrada de Nezahualcoyotl. For this reason, they called the former “Albarrada de los Españoles” and the later “Albarrada Antigua de los Indios.” *Architectural Practice*, 40.

policy: the slowdown of commerce. Silting in the canals worsened this problem.<sup>94</sup> In prehispanic times, the lakes located next to the towns of Citlaltepeque and Xaltocan were connected to the northern part of the island through canals. Merchants brought their products by canoe to the island, especially to Tlatelolco's market. When the canals were filled in, their activity ceased. In 1542 Viceroy don Antonio de Mendoza (r. 1535-1550) ordered the indigenous governor of Lacoyuca to describe in detail the canals that existed in the northern region of the basin under Moteuczoma's reign. Then, the viceroy ordered him to use native labor to open up canals once more, for he wanted to revitalize commerce between the communities located in the north of the basin and Mexico City.<sup>95</sup>

Canals continued to be the main means of communication and transportation in the seventeenth century. There were seven main canals that flowed from Mexico City to the Albarrada de San Lázaro. The canals that crossed Tlatelolco were the same that had existed before the viceroyalty: Tezontlalli and the canal that passed in front of the Santa Ana Chapel.<sup>96</sup> At the albarrada, seven floodgates allowed the water in the canals to flow to the city in the morning, but it blocked its flow during rainy afternoons. Canals constituted, then, an additional protection against flooding.<sup>97</sup>

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<sup>94</sup> López, “ ‘In the Art of My Profession’: Adrian Boot and Dutch Water Management in Colonial Mexico City,” 40.

<sup>95</sup> AGN, Mercedes, Vol. 2, Exp. 309.

<sup>96</sup> The other canals were the following: the one by the Palacio Nacional (Acequia Real), the one by the Convento del Carmen, the one by La Merced, the one that came from Mexicalcingo, and one known as Chapitel. Cepeda, *Relación universal*, f. 4r.

<sup>97</sup> Cepeda, *Relación universal*, 4r.

The dam of Atzacualco known during the viceroyalty as Santiago Atzacualco continued to be an important hydraulic structure within Santiago Tlatelolco's jurisdiction.<sup>98</sup> Its water was used for irrigation. It was also important because it was the starting point for the Albarrada de San Lázaro. When this dike was renovated in 1604, Spanish and indigenous authorities, including Santiago Tlatelolco's governor, started making measurements for the albarrada in Atzacualco. In 1607, this dam overflowed into Santiago Tlatelolco and then on into Mexico City.<sup>99</sup> The 1607 flood marked the definitive parting of Spanish authorities from the prehispanic hydraulic system.<sup>100</sup>

Another major function of Mexico City's hydraulic system was to provide drinking water for the city's inhabitants, including those of Santiago Tlatelolco. During the early viceroyalty, Xancopinca was one of the main sources of water for Santiago Tlatelolco. It was a spring found in Bernabé Aculnahuac, a town subject to Azcapotzalco. From Xancopinca, water flowed through clay pipes to the church of Santiago. Then, flowing from east to west, water went to the Calvario Chapel. As time went on, the spring

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<sup>98</sup> Santiago Atzacualco was also an important site for the collection of salt. *Ordenanza del Señor Cuauhtémoc*, p. 61.

<sup>99</sup> Sources such as the *Ordenanza del Señor Cuauhtémoc* and Chimalpahin Quauhtlehuanitzin's *Annals* suggest that the dam located in the altepetl of Santiago Tlatelolco called Aztacualco was different to the Atzacualco that was part of Tenochtitlan. The former was referred to as Santiago Atzacualco; the later as San Sebastián Atzacualco. *Ordenanza del Señor Cuauhtémoc*, p. 61; Chimalpahin Quauhtlehuanitzin, *Annals*, 19, 33 n7, 55, 83, 99, 113, 273, 305.

<sup>100</sup> López, “‘In the Art of My Profession’: Adrian Boot and Dutch Water Management in Colonial Mexico City,” 40.

began to dry up, and the people of Santiago Tlatelolco suffered lack of drinking water.<sup>101</sup> In the cabildo session that took place in May 1555, Jerónimo Ruiz, the *alcalde* (chief magistrate), proposed to direct to Santiago part of the water that flowed into Mexico City from Santa Fe and Chapultepec. Not surprisingly, most of the members of the cabildo disagreed. They argued that during prehispanic times, Tenochtitlan did not share its drinking water with Tlatelolco. However, they finally agreed to give water to Tlatelolco if Mexico City's needs were met first.<sup>102</sup>

The *Map of Santa Cruz* suggests that in the sixteenth century part of the water that came from Santa Fe went to Santiago Tlatelolco.<sup>103</sup> On the map, the water went to a cistern (*caja de agua*) that abutted the Franciscan friary to the south of the church (See Figs. I-21 and I-22). In 2002, archaeologist Salvador Guilliem Arroyo, director of the archaeological site of Tlatelolco, found the remains of a structure that appears to be the

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<sup>101</sup> AGN, Tierras, Vol. 1, Parte 1 and Parte 2. Delfina E. López Sarrelangue, "Tlatelolco a través de los tiempos: 13. El abastecimiento de agua en Tlatelolco de los siglos XVIII y XIX," *Memorias de la Academia Mexicana de la Historia* 16, No. 3 (July-September, 1957): 250-251.

<sup>102</sup> Cabildo acta of May 27, 1555, AHCM.

<sup>103</sup> The route water followed was Santa Fe to Chapultepec, then Santo del Agua; it went north by the street known as Niño Perdido (now Eje Central). It then got to Puente de la Orduña; afterwards, to Fuente de la Mariscala, and finally, to Santiago Tlatelolco. Salvador Guilliem Arroyo, "La caja de agua del imperial colegio de la Santa Cruz de Tlatelolco, pintura mural de los albores novohispanos." *Estudios de Cultura Náhuatl* 38 (2007): 17, 27.

cistern depicted in the *Map of Santa Cruz*.<sup>104</sup> According to Guilliem Arroyo, water came from Chapultepec through a subterranean aqueduct. A stone vertical pipe connected the aqueduct to the cistern, and it controlled the level of water that entered. Once the cistern was full, excess water flowed out by another pipe that went under the vestibule. The result was that the cistern did not overflow; instead it was a reflecting pool that mirrored the fish and the plants painted beneath the water surface. After water went into the cistern, it ran to the east to the *tecpan* (palace, later, city hall), where it provided water to the *tecpan*'s inhabitants and irrigated the royal gardens. To fetch water from the cistern, people crossed a gate that led to the entrance hall and then went down a one-meter staircase that led to the water. Murals covered the entrance hall where people entered to fetch water. The inside of the cistern was also decorated with paintings. The water formed a reflecting pool that allowed the people to see the murals below the water level.<sup>105</sup> Thus, by many means, the people who fetched water from the cistern were surrounded by a pictographic discourse located both outside and also inside the structure. (See Fig. I-23).<sup>106</sup> According to Guilliem Arroyo, the cistern was built during the

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<sup>104</sup> Salvador Guilliem Arroyo, "The Discovery of the Caja de Agua of Tlatelolco: Mural Painting from the Dawn of New Spain." *Colonial Latin American Review* 22, No. 1 (April 2013): 20-22.

<sup>105</sup> Guilliem Arroyo, "La caja de agua del imperial colegio de la Santa Cruz de Tlatelolco, pintura mural de los albores novohispanos," 17. Salvador Guilliem Arroyo, "La caja de agua del Colegio de la Santa Cruz de Tlatelolco," *Arqueología Mexicana* XV, No. 89 (Jan.-Feb., 2008): 62-64. Guilliem Arroyo, "The Discovery of the Caja de Agua of Tlatelolco: Mural Painting from the Dawn of New Spain," 22-34.

<sup>106</sup> Personal communication, April 2008.

construction of the first church at Santiago Tlatelolco circa 1536, and it was closed down when Torquemada finished the third church of Santiago, approximately between 1580 and 1610. On seventeenth-century maps, such as the map of Trasmonte made in 1623 and the 1650 folding screen now housed in the Franz Mayer Museum, the reservoir no longer appears (See Fig. I-24). Instead, there is a fountain located between the church and the tecpan.<sup>107</sup>

### **SPANISH POLICIES AND ENVIRONMENTAL CHANGE**

The Spaniards did not begin the degradation of the basin's environment, but they certainly accelerated it.<sup>108</sup> During the colonial period, Mexico City suffered severe flooding (See Fig. I-20). The inhabitants of the island also experienced a new environmental tribulation: the desiccation of the lake. Both processes were especially destructive for the people of Santiago Tlatelolco. The flooding that took place during the rainy season was especially severe in the north of the basin because the Cuauhtitlan River

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<sup>107</sup> According to Guilliem Arroyo, the archaeological remains found in the caja suggest that the reservoir was built in the early sixteen century. Most of the ceramic belongs to either prehispanic styles (Aztec III, IV) or to the time of first contact. Archaeologists also found obsidian knives similar to prehispanic ones and early sixteenth-century European artifacts, like china, bottles, nails, needles, etc. Guilliem Arroyo also believed that Andrés de Olmos designed the caja de agua because its style resembles that of the church, friary, and water tank of Tepeapulco, which Olmos constructed in 1545. However, Guilliem Arroyo believed that Olmos built Santiago Tlatelolco's water reservoir before the one in Tepeapulco. Guilliem Arroyo, "La caja de agua del imperial colegio de la Santa Cruz de Tlatelolco, pintura mural de los albores novohispanos," 27. Guilliem Arroyo, "La caja de agua del Colegio de la Santa Cruz de Tlatelolco," 28.

<sup>108</sup> López, " 'In the Art of My Profession': Adrian Boot and Dutch Water Management in Colonial Mexico City," 40.

rose until it overflowed the northern lakes, including Lake Texcoco, the water then poured into the city. It flooded Santiago first because it was closer.<sup>109</sup>

The most serious floods took place in 1555, 1580, 1593, 1604, 1607, and 1629. In 1555, after a period of drought, torrential rains fell onto the city. The level of water in the lake rose and water overflowed into the city once more. At first, the lake flooded the indigenous barrio of Santiago Tlatelolco.<sup>110</sup> Then, the water menaced “the Hispanic district, the traza.”<sup>111</sup> For three or four days, city dwellers moved around in canoes. Many people lost their houses. This was the first flood that the Spanish settlers experienced, and they were alarmed.<sup>112</sup> The lake overflowed the city again in 1580. This flood was not as serious as the previous one, but by then the inhabitants of the city had neglected the dikes that protected them from flooding, and they had settled in very low regions. In 1593, intensive rain brought about another period of flooding. In 1604, torrential rain fell day and night for two weeks, starting in August and ending in September. The natural springs in the basin of Mexico overflowed; water flowed from the melting snow on Iztactepetl

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<sup>109</sup> Palerm, *México prehispánico*, 419. López, “ ‘In the Art of My Profession’: Adrian Boot and Dutch Water Management in Colonial Mexico City,” 42.

<sup>110</sup> “En toda esta Nueva España a llovido este año mucho mas que los passados, y a hecho gran daño en algunas provincias, porque ha anegado las sementeras de trigo, y maiz, y en esta Ciudad a sido mayor que en otras partes, por estar la Ciudad en lo mas vajo, y cercada la mayor parte de vna Laguna grande, donde acuden todas las aguas de Rios, y fuentes de la comarca, que son muchos, hemos vistonos en gran trabajo, y sino se pusiera gran diligencia en desaguar un Rio que salió de madre, por la parte de Tlatelulco, se llama Santiago, gran parte de la Ciudad se perdiera.” Cepeda, *Relación universal*, folio 5v.

<sup>111</sup> Candiani, “Draining the basin of Mexico, 1608-1808,” 5.

<sup>112</sup> Candiani, *Dreaming of Dry Land*, 31.



(now known as Iztacihuatl). Water also gushed from Lake Chalco. The excess water flooded into Lake Texcoco and, thus, into Mexico City. Only the highest parts of the island remained dry. Churches and houses of indigenous peoples and Spaniards alike were flooded. Many houses collapsed. Many chinampas were destroyed and many people drowned. The flood destroyed roads and causeways. Enrico Martínez, future engineer of the Huehuetoca Desagüe, explained that it rained so much that water flowed over the causeway of San Cristóbal (Ecatepec); then, passed through the arches of the bridge into the city. In Tlatelolco, water damaged the Tepeyac Causeway. Canoes were the only way to move around.<sup>113</sup>

Mexico City flooded again in 1607. According to Torquemada, the situation was not as serious as in 1604, but Chimalpahin Quauhtlehuanitzin described the flooding as just as dire. The water destroyed causeways, bridges, and houses. Only the center of the city was spared, while the northern part of the basin and the city suffered greatly. The city of Azcapotzalco was almost destroyed by a mudslide. The dike of Atzacolco, located between the Tepeyac Causeway and the Albarrada de San Lázaro, overflowed into Santiago Tlatelolco, and then into Mexico City.<sup>114</sup> In Santiago Tlatelolco, the only place

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<sup>113</sup> Torquemada, *Monarquía indiana* 1 (1943), 618-169, 423. Ángel Palerm, “A manera de presentación,” in *Nuevas noticias sobre las obras hidráulicas prehispánicas y coloniales en el Valle de México* (Mexico City: Instituto Nacional de Antropología e Historia, Centro de Investigaciones Superiores, Seminario de Etnohistoria del Valle de México, 1974), 46. Chimalpahin Quauhtlehuanitzin, *Annals*, 43, 79-81. Torquemada, *Monarquía indiana* 1 (1975), 423. Candiani, *Dreaming of Dry Land*, 34.

<sup>114</sup> Torquemada, *Monarquía indiana* 1 (1975), 423. Chimalpahin Quauhtlehuanitzin, *Annals*, 95.

that did not flood was the plaza where the market used to be located.<sup>115</sup> Panic struck Spaniards and natives alike to such a degree that Viceroy don Juan de Mendoza y Luna Marqués de Montesclaros (r. 1603-1607) forbade city dwellers to flee. However, the worst flood took place in 1629. The water broke apart dikes, causeways, dams, houses, and buildings. Two-thirds of the city was destroyed, and even the most solid buildings suffered major structural damage. The number of casualties was also severe. In a letter written to the Crown, Archbishop Manso y Zuñiga stated that 30,000 natives died and only 400 of 20,000 Spanish families remained. For a while, Spanish authorities even considered moving the capital of the viceroyalty to another site.<sup>116</sup>

Although the Mexica had faced flooding and drought before, the arrival of the Spaniards accelerated these problems because the Spaniards introduced a soil usage and water management practices that conflicted with the relationship Nahuatl peoples had with their environment.<sup>117</sup> First, the Spaniards were not familiar with a lacustrine milieu. Most

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<sup>115</sup> Since the markets located in Mexico City (San Hipólito and San Juan) were flooded, the authorities planned to move the market back to Tlatelolco, but this was never put in effect. Chimalpahin Quauhtlehuanitzin, *Annals*, 99-101.

<sup>116</sup> Louise Schell Hoberman agrees with the figures given for natives, but she thinks that the figures for Spanish families are exaggerated. Louisa Schell Hoberman, "City Planning in Spanish Colonial Government: the Response of México, D.F. to the Problem of Floods, 1607-1637" (Ph.D. Dissertation. New York: Columbia University, 1972), 182. Chimalpahin Quauhtlehuanitzin, *Annals*, 99-100. Palerm, *México prehispánico*, 420-421. Musset, "El siglo de oro del Desagüe en México, 1607-1691," 182.

<sup>117</sup> Karl W. Butzer questions the popular belief that the early colonists of the Americas devastated the landscape and brought about ecological degradation. Regarding New Spain, he claims that there is not enough evidence to state that the introduction of livestock originated ecological deterioration, for the reconstruction of

who settled in New Spain came from the arid *meseta* (plateau). They probably had experience with individual hydraulic structures, such as dams, irrigation ditches, waterwheels, etc., but they had had no understanding of complex and extensive hydraulic systems such as those found in Lake Texcoco. Their economic system also conflicted with the lake. The Spanish economy was based on wheat cultivation and livestock, and of course, on a transoceanic system of commerce. Spanish settlers began to cultivate wheat extensively on the hillsides that surrounded Mexico City. As the number of settlers increased so did the amount of land dedicated to wheat.<sup>118</sup> In addition, the Spanish system of agriculture was based on the iron plow which allowed deep cultivation of large portions of land. The need for land and timber accelerated the man-produced desiccation of the lake. The introduction of livestock, such as horses, cattle, sheep, goats, and pigs worsened the deforestation because these animals typically required extensive land for grazing. European architecture (houses in which wood was used abundantly) and the need for charcoal also gave way to extensive logging of local forests. The introduction of

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vegetation in areas such as the Bajío suggests that the forests were intact. He also explains that in the basin of Mexico lumbering was extensive but this did not prevent mountain streams from providing the basin with water for irrigation and even for the operation of mills until the 1630s. Butzer continues, explaining that pollen profiles from Mexico do not show devegetation during the colonial era. However, it is likely that livestock grazing slowed forest regeneration. Karl W. Butzer, "The Americas before and after 1492: An Introduction to Current Geographical Research," *Annals of the Association of American Geographers* 82, No. 3 (Sep., 1992): 362-363.

<sup>118</sup> "Y para que mejor se entienda, es de advertir que como ha ido creciendo el número de españoles y todos dan en tener labranzas y sembrar, se han ido cultivando todas las tierras a la redonda de esta laguna y otras muchas más en las gargantas de las sierras que la contornan, bojean." Torquemada, *Monarquía indiana* 1 (1975), 423.

a different transportation system compromised the environment even further. Spaniards filled in canals to make roads for horses and carts. During the viceroyalty, canals and causeways were modified to fulfill the communication requirements that Mexico City had as the capital of New Spain. As such, Mexico City played an “imperial” role vaster than that played by Tenochtitlan. The city now needed roads to connect it to the sea and to Spain.<sup>119</sup>

The Spanish economic system hastened deforestation, which in turn brought about erosion in the hills and mountains that surrounded the lakes. Torquemada correctly noted that, because of erosion, the lakebed, now dry, no longer retained water, even during the rainy season. In the short term, this process gave way to flooding, but in the long term it resulted in desiccation. On the other hand, filling in canals and chinampas hindered the drainage of the city, and, thus, was cause for the accumulation of stagnant water which led to flooding.

Silting was another result of the new demands on the environment. According to Torquemada, the cultivation of wheat in large extensions of land caused erosion. Then, rain carried sediments, slime, and mud into the basin. Thus, silt was continually filling up the basin. Grazing and logging made erosion and silting even worse. In the seventeenth century, Enrico Martínez stated that, because of silting, Lake Texcoco was losing the

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<sup>119</sup> Candiani, “Draining the basin of Mexico, 1608-1808,” 6-7. Candiani, *Dreaming of Dry Land*, 26-30, 47-48. Torquemada, *Monarquía indiana* 1 (1975), 420. Hoberman, “City Planning in Spanish Colonial Government: the Response of México, D.F. to the Problem of Floods, 1607-1637,” 389. Ezcurra et al., *The Basin of Mexico*, 35, 68.

capacity to hold rainwater. In turn, this exacerbated the periodic flooding that the city experienced.<sup>120</sup>

The Spaniards' first attempt to drain the lacustrine environment took place in their battles against the Mexica. They filled in as many canals and bodies of water as they could. As a consequence of the fighting, many of the hydraulic structures were destroyed. The destruction of causeways and dikes also added to the decay of the basin's water management system. However, during the early years of the viceroyalty, Spanish authorities vacillated about abandoning the indigenous hydraulic system. In 1542, Viceroy don Antonio de Mendoza (r. 1535-1550) realized that filling in canals had slowed the flow of goods that indigenous peoples brought to the city. Thus, he decided to open the canals that had previously connected the lakes of Citlaltepeque and Xaltocan with Mexico City.<sup>121</sup> Nevertheless, in 1545 the cabildo decided to drain the lakes to improve the communication between Mexico City and the surrounding area.<sup>122</sup> In 1552, the cabildo decided to divert the rivers away from the city. The flood of 1555 made Spanish authorities hesitate again. Viceroy Mendoza consulted indigenous elites once more on the reconstruction of the prehispanic system of flood protection.<sup>123</sup> However, the

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<sup>120</sup> Palerm, *México prehispánico*, 19. Torquemada, *Monarquía indiana* 1 (1975), 423-424. Hoberman, "City Planning in Spanish Colonial Government," 389, 341. Ezcurra et al., *The Basin of Mexico*, 35. Candiani, "Draining the basin of Mexico, 1608-1808," 12. Candiani, *Dreaming of Dry Land*, 29.

<sup>121</sup> AGN, Mercedes, Vol. 2, Exp. 309.

<sup>122</sup> Cabildo acta of April 20, 1545, AHCM.

<sup>123</sup> AGI, Patronato 131, Ramo 30.

recreation of the indigenous system caused the same problems that the Mexica had faced before the arrival of the Spaniards. For instance, radial causeway-dikes prevented the water that flowed into Lake Texcoco from entering the southern lakes. Because of this, Spanish authorities decided to stop the flow of Lake Xochimilco into Lake Texcoco. Unfortunately, this shifted the flooding problem from Mexico City to Xochimilco, for the waters from Lake Xochimilco then started overflowing into that town and its chinampas.<sup>124</sup>

In the end, Spanish hydraulic policy veered towards the desiccation of Lake Texcoco, and to do this the first strategy was to rechannel the rivers that flowed into the lake from the north. This strategy affected primarily the communities of the northern region of the basin, including Santiago Tlatelolco. As mentioned before, the main river of this area was the Cuauhtitlan River. It was made up of permanent rivers –such as Escapulsaltongo, Lanzarote, and the River of Tepotzotlan,--and seasonal rivers –such as Arroyo Jondo, Barrancas de Jalpa, Arroyo de Fuertes, and Barrancas de Noxtongo and Santiago. To the south of Cuauhtitlan, in the Tepeyac region, there were three large rivers: San Mateo, Tlanepantla, and Los Remedios (also known as San Pablo) (See Fig. I-9).<sup>125</sup> Other seasonal rivers –San Joaquín, Tecamachalco, and others—also passed under the bridge to the Guadalupe sanctuary. During the rainy season, all of these rivers, but

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<sup>124</sup> Palerm, *México prehispánico*, 274, 352, 278. Candiani, “Draining the basin of Mexico, 1608-1808,” 12.

<sup>125</sup> AGN, Desagüe, Vol. 22, Exp. 187.

especially the Cuauhtitlan River, flowed into the northern lakes –Zumpango and San Cristóbal Ecatepec--, and then, into Lake Texcoco. Since Lake Texcoco could not hold the water, it flooded into Azcapotzalco, Santiago Tlatelolco, and then Mexico City.<sup>126</sup>

After the flood in 1555, Spanish authorities diverted the Cuauhtitlan River, the San Cristóbal Ecatepec River, the Tlalnepantla River, and Los Remedios River which flowed by Azcapotzalco, to the north.<sup>127</sup> The purpose of the diversion was not only to protect the city from flooding, but also to irrigate the growing number of Spanish-owned wheat fields.<sup>128</sup> According to Torquemada, the result was the desiccation of the rivers.<sup>129</sup>

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<sup>126</sup> Palerm, *México prehispánico*, 419.

<sup>127</sup> According to Candiani, the diversion of the Cuauhtitlan River was first devised by the Colhuas in 1433. In 1555, Francisco Gudiel suggested a Cuauhtitlan River diversion and a canal of eight to nine leagues from San Cristóbal Ecatepec to the Tula River. Candiani, “Draining the basin of Mexico, 1608-1808,” 14. Candiani, *Dreaming of Dry Land*, 21-22, 27, 31-32. Palerm, *México prehispánico*, 279-280. González Aparicio, *Plano reconstructivo de la región de Tenochtitlan*, 27.

<sup>128</sup> “...lo que yo alcanzo y hallo que puede haber sido, es haberla desangrado de estos arroyos y ríos (que como venas en un cuerpo que con su sangre lo sustentan y fomentan, así las sustentaban y fomentaban) habiéndolos todos sacado de sus madres para regar con ellos muchas tierras que de presente se siembran de trigo y para otras cosas de el servicio de haciendas; y ésta es la razón porque faltan sus aguas en tiempo de verano y seca; y por esta misma razón menguan las de la laguna y se seca en grandísima distancia [...] porque nace su sequedad de las sangrias que le hacen, quitándole el ordinario cebo de sus aguas, el cual tenía de los ríos que en ella entraban y con este desaguamiento la rinden y secan...” Torquemada, *Monarquía indiana* 1 (1975), 422.

<sup>129</sup> Ángel Palerm believed that Torquemada was wrong in thinking that the use of water in excessive irrigation was one of the causes of the desiccation that went on in the basin of central Mexico. Palerm explained that during the viceroyalty the irrigation systems diminished because the Spaniards had introduced seasonal agriculture and because the main use that they gave to the land that they had taken from natives was as pasture, which did not require that much water. Palerm, *México prehispánico*, 273.

This was especially true in Chapultepec, Santa Fe, and Azcapotzalco. Since they had been important sources of water for Tlatelolco, Santiago Tlatelolco suffered a severe lack of drinking water. In addition, Spanish authorities piped the canals that took water from fresh water springs located in Azcapotzalco to Santiago Tlatelolco. Torquemada believed that this also caused the springs to dry, further worsening Santiago Tlatelolco's situation.<sup>130</sup>

In 1607, Viceroy don Luis de Velasco II (r. 1607-1611) commissioned Enrico Martínez to construct an outlet that would prevent further flooding of the city: the Huehuetoca Ditch. The inadequacy of Martínez's design prompted King Philip III (r. 1598-1621) to send Adrian Boot, a Dutch hydraulic engineer, to the New Spain in 1612.<sup>131</sup> To the surprise of Spanish authorities, Boot's proposal to alleviate the city's water problems did not rely on drainage and desiccation but water control, an approach similar to the Nahua system of water management. He recognized the benefits of the city's lacustrine environment, such as commerce, an activity of special importance to the Tlatelolca.<sup>132</sup> Accordingly, Boot proposed the renovation of existing dikes and

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<sup>130</sup> “También se prueba por qué por estotra parte de el norte (aunque caído al poniente) había otros ojos de agua que nacían junto a Azcaputzalco, los cuales hacían laguna todo aquel sitio y después que se ha encañado y entra por caño, en Santiago, se ha secado aquel pedazo de laguna, de manera que esto la seca y ha secado” Torquemada, *Monarquía indiana* 1 (1975), 422. Palerm, *México prehispánico*, 279-280.

<sup>131</sup> López, “‘In the Art of My Profession’: Adrian Boot and Dutch Water Management in Colonial Mexico City,” 39.

<sup>132</sup> Ibid., 36.



causeways.<sup>133</sup> His plan was criticized because it recalled the Mexica hydraulic system and the indigenous peoples' relationship with the environment.<sup>134</sup>

## CONCLUSIONS

The environment in which the Tlatelolca settled shaped to a great degree their relationship with the surrounding communities. Like Tenochtitlan, Tlatelolco was located on an island in the midst of Lake Texcoco. The island did not have enough land for its dwellers. Thus, its inhabitants resorted to several strategies. One was to build residential and cultivable land. However, the chinampas could not satisfy the needs of all the Tlatelolca. As a result, the Tlatelolca (with the Tenochca) secured tribute in the form of goods and service from their subjects. To survive, the island's dwellers also had to control the lake's water. Access to labor was fundamental for the construction of a major hydraulic system. Hydraulic structures also served a political purpose: to indicate the boundaries of water and land rights.

In terms of the environment, the location of Tlatelolco was more adverse than that of Tenochtitlan. It had less land, and it was on the north of the island, where the water was brackish and prone to flooding. Notwithstanding, the Tlatelolca used the environment and the hydraulic system to their advantage. The Tezontlalli Canal connected the lake to the lagoon next to Tlatelolco's plaza. This probably allowed Tlatelolco to become a major commercial center, for canoes could navigate through the

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<sup>133</sup> Ibid., 43.

<sup>134</sup> Although using Dutch technology. Ibid., 36.

canal and get to the lagoon, which functioned as a wharf. When the Spaniards arrived, the most important market on the island was in Tlatelolco.

Modern scholars believe that the main reason behind the environmental degradation of central Mexico was the introduction of a different attitude towards the lacustrine environment resulting in a different system of water management. According to Vera Silvia Candiani, before the arrival of the Spaniards Nahua peoples used what she calls “a water utilization and containment model.”<sup>135</sup> Their hydraulic system, made up of causeways, dikes and aqueducts, fulfilled several purposes: increased the land used for intensive cultivation; provided irrigation for the chinampas and drinking water for the population; protected the city against flooding; and constituted a transportation and communications system. For the Nahuas, protection against flooding had been as important as chinampa cultivation. For the Spaniards, the cultivation of corn was not central. Their main source of protein came from the livestock they introduced, while their main source of carbohydrate was wheat-bread. Both activities required large sections of dry land. Furthermore, the lacustrine environment conflicted with their urban ideal and with accustomed mode of transportation: horses, mules, and oxen. Thus, their idea of water management was “a water evacuation model”.<sup>136</sup> However, Candiani believes that,

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<sup>135</sup> Candiani, “Draining the basin of Mexico, 1608-1808,” 5, 7. Candiani, *Dreaming of Dry Land*, 15-45.

<sup>136</sup> Ezcurra et al., *The Basin of Mexico*, 35. Candiani, “Draining the basin of Mexico, 1608-1808,” 5. Candiani, *Dreaming of Dry Land*, 15-45.

even more than the introduction of new forms of production or unfamiliarity with a lacustrine environment, the failure of the relationship between the inhabitants of the basin and their environment during the viceroyalty ultimately was the introduction of a new system of property relations. The chinampas and the complex hydraulic system of the Mexica were the result of centuries of collective work under a central administration.<sup>137</sup> The Spaniards did not adopt the indigenous organization of land tenure nor the labor system. The result was a gradual but definitive breach with the former hydraulic system. In 1608, the beginning of the construction of the Huehuetoca Desagüe marked the replacement of the indigenous water utilization and containment model by a definitive project to drain Lake Texcoco.<sup>138</sup>

While the arrival of the Spaniards accelerated the environmental degradation of the basin, the introduction of a new economic system put great pressure on the indigenous population. The inhabitants of Santiago Tlatelolco saw their access to water, land, and labor threatened. In turn, this resulted in major conflicts between the two

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<sup>137</sup> Candiani, "Draining the basin of Mexico, 1608-1808," 7. Candiani, *Dreaming of Dry Land*, 4, 48.

<sup>138</sup> For further information on the Desagüe de Huehuetoca, see Louisa Schell Hoberman's Ph.D. dissertation "City Planning in Spanish Colonial Government: the Response of Mexico City to the Problem of Floods, 1607-1637" as well as her articles "Enrico Martínez: Printer and Engineer," in *Struggle and Survival in Colonial America*, ed. David Sweet and Gary Nash (Berkeley and Los Angeles: University of California Press, 1981) and "Technological change in a traditional society: the case of the Desagüe in colonial Mexico," *Technology and Culture* 21, No. 3 (July 1980): 386-407, Candiani, "Draining the basin of Mexico, 1608-1808," and Candiani, *Dreaming of Dry Land*.

previous hegemonic peoples of the basin: the Tepaneca and the Tenochca. The following chapter will deal with the lawsuits that originated from their conflicts.



Figure I-1. Folio 11r of the *Ordenanza del Señor Cuauhtémoc*. *Ordenanza del Señor Cuauhtémoc*, ed. Perla Valle and trans. Rafael Tena. Mexico City: Gobierno del Distrito Federal, 2000.

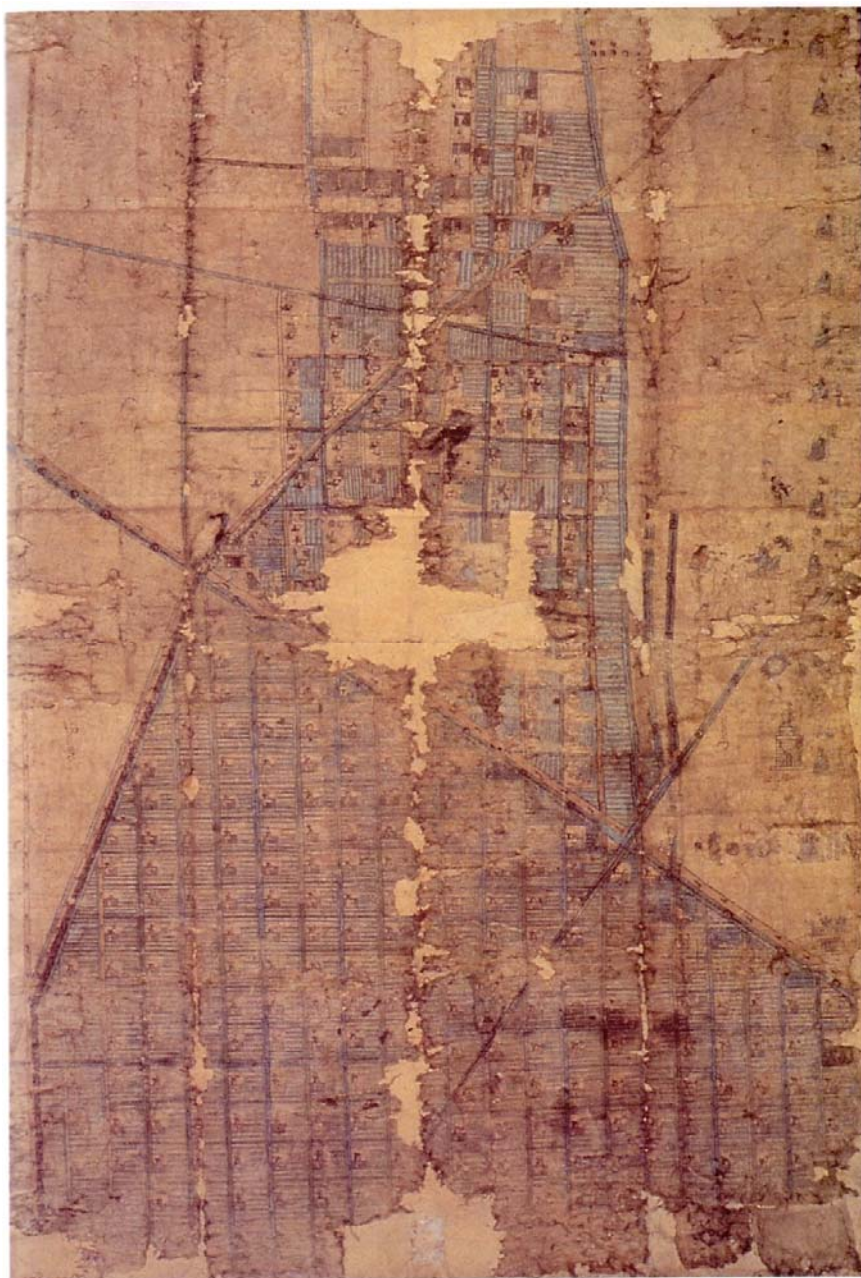


Figure I-2. *Plano en papel maguey*. Jorge González Aragón. *La urbanización indígena de la Ciudad de México. El caso del Plano en papel maguey*. Mexico City: Universidad Autónoma Metropolitana, Unidad Xochimilco, 1993, p. 71.



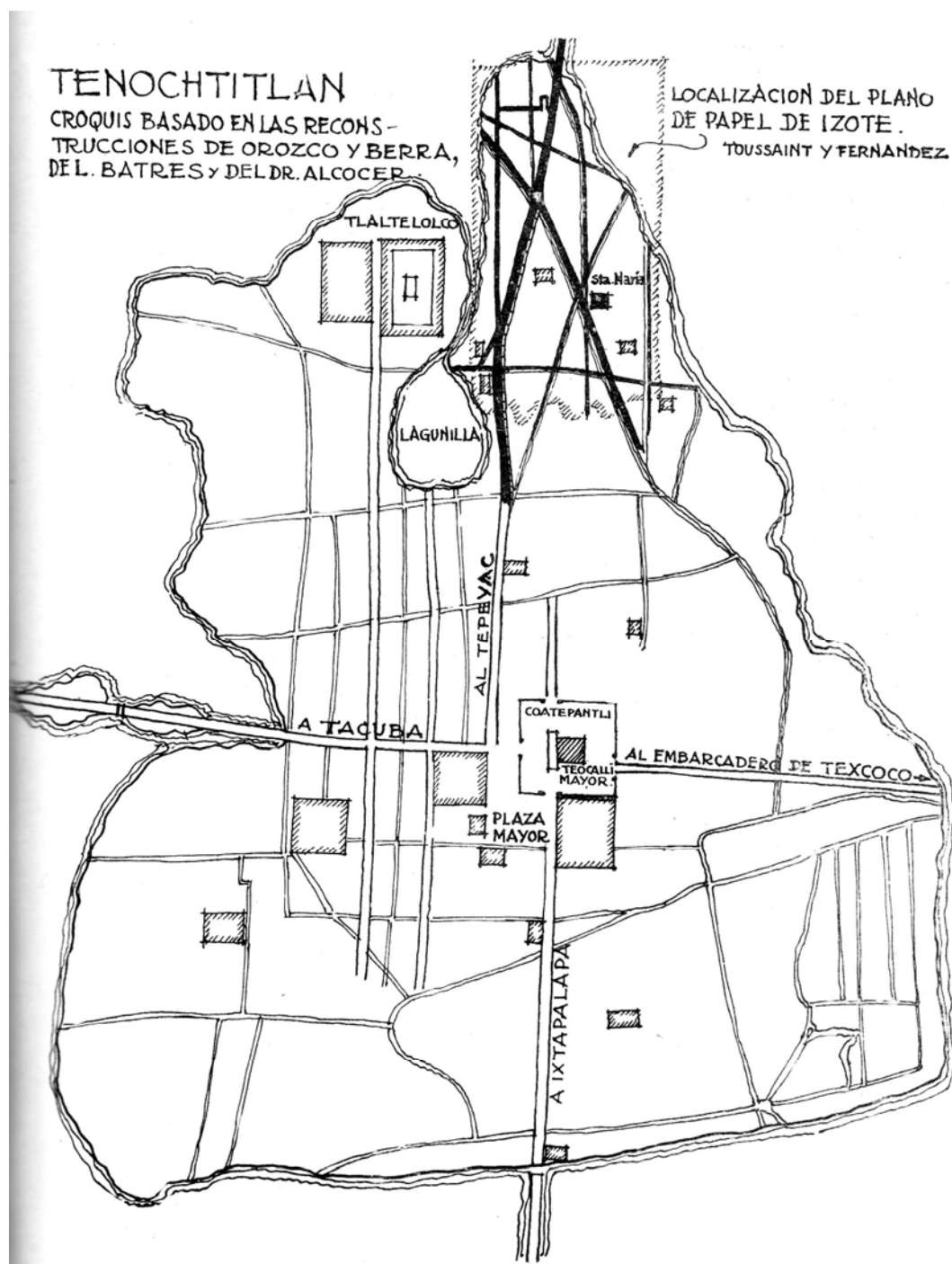


Figure I-3. Location of the land represented in the *Plano en papel maguey*. Manuel Toussaint, Federico Gómez de Orozco, and Justino Fernández. *Planos de la Ciudad de México. Siglos XVI y XVII. Estudio Histórico Urbanístico y Bibliográfico*. Mexico City: Universidad Nacional Autónoma de México, Instituto de Investigaciones Estéticas, 1938, Fig. I-12.

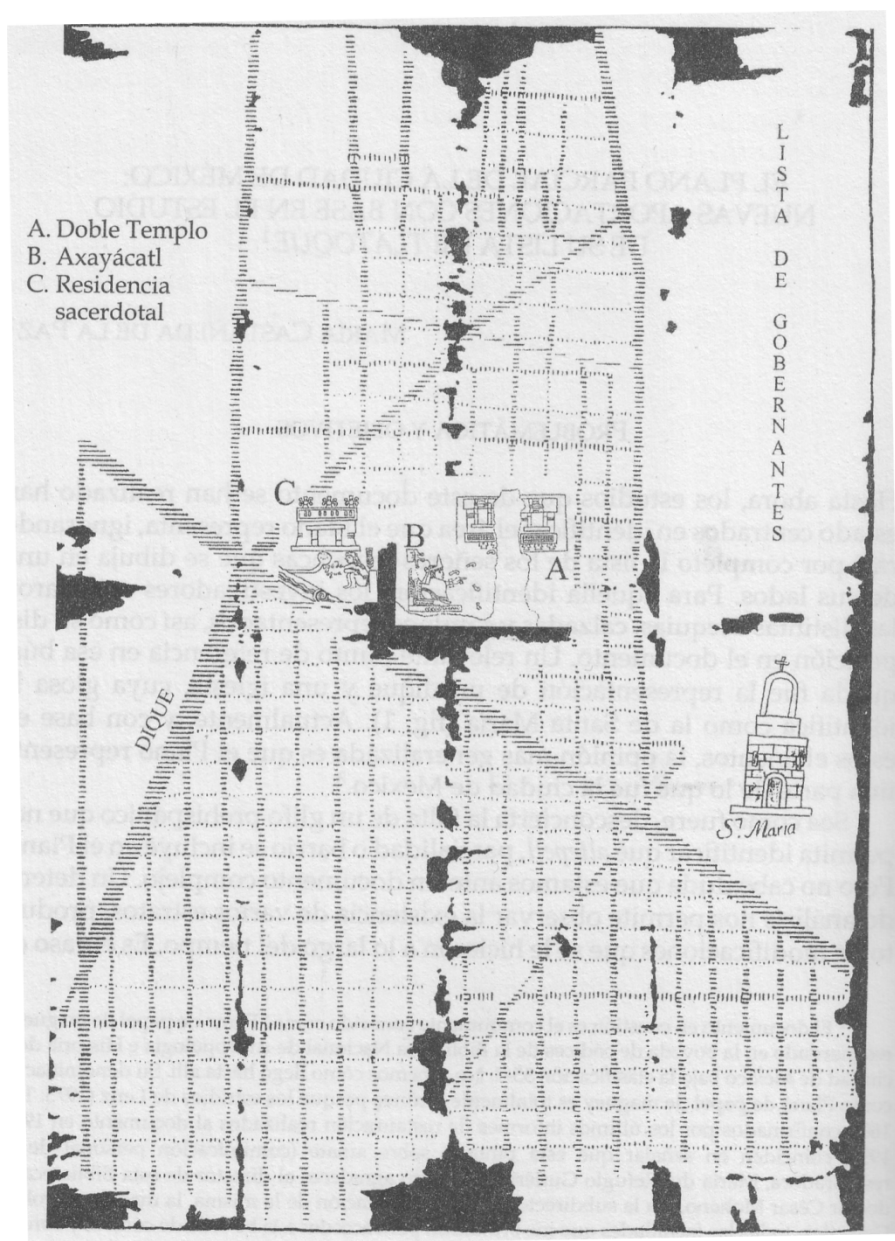


Figure I-4. Sketch, *Plano en papel maguey*. María Castañeda de la Paz, “El plano parcial de la ciudad de México: nuevas Aportaciones con base en el estudio de su lista de *tlatoque*.” In *Símbolos de poder en Mesoamérica*, ed. Guilhem Olivier. Mexico City: Universidad Nacional Autónoma de México, Instituto de Investigaciones Antropológicas, 2008, Fig. I-1.

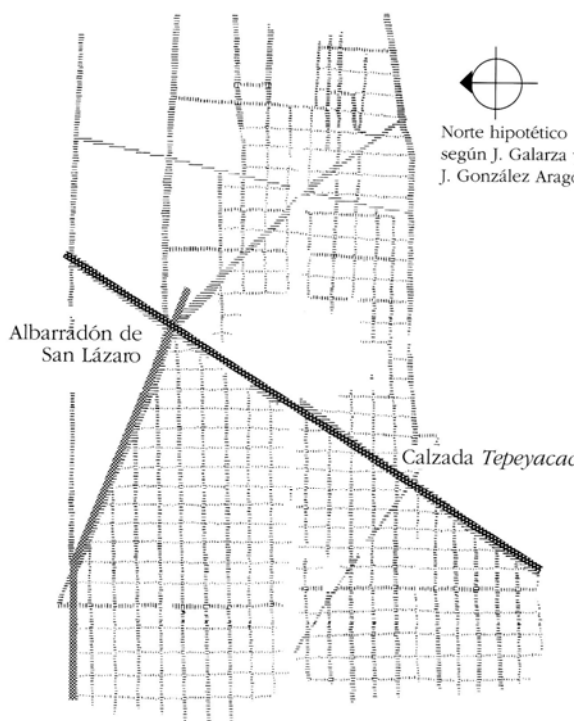


Figure I-5. Sketch, *Plano en papel maguey*. Jorge González Aragón. *La urbanización indígena de la Ciudad de México. El caso del Plano en papel maguey*. Mexico City: Universidad Autónoma Metropolitana, Unidad Xochimilco, 1993, p. 36.

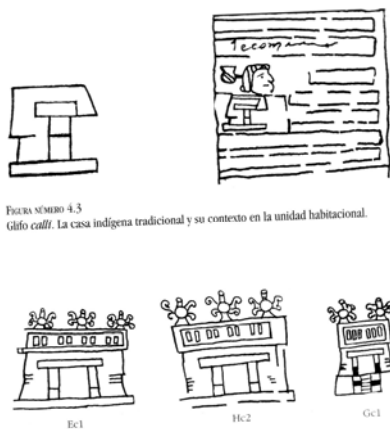


FIGURA NÚMERO 4.3  
Glifo cañiz. La casa indígena tradicional y su contexto en la unidad habitacional.

Figure I-6. Detail, *Plano en papel maguey*. Jorge González Aragón. *La urbanización indígena de la Ciudad de México. El caso del Plano en papel maguey*. Mexico City: Universidad Autónoma Metropolitana, Unidad Xochimilco, 1993, p. 36.



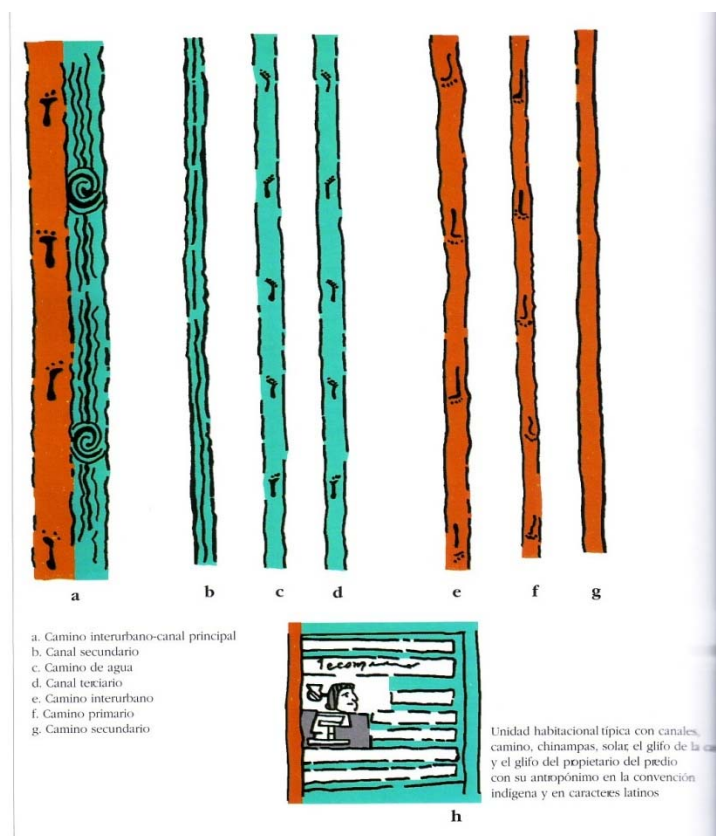


Figure I-7. Detail, *Plano en papel maguey*. Jorge González Aragón. *La urbanización indígena de la Ciudad de México. El caso del Plano en papel maguey*. Mexico City: Universidad Autónoma Metropolitana, Unidad Xochimilco, 1993, p. 70.

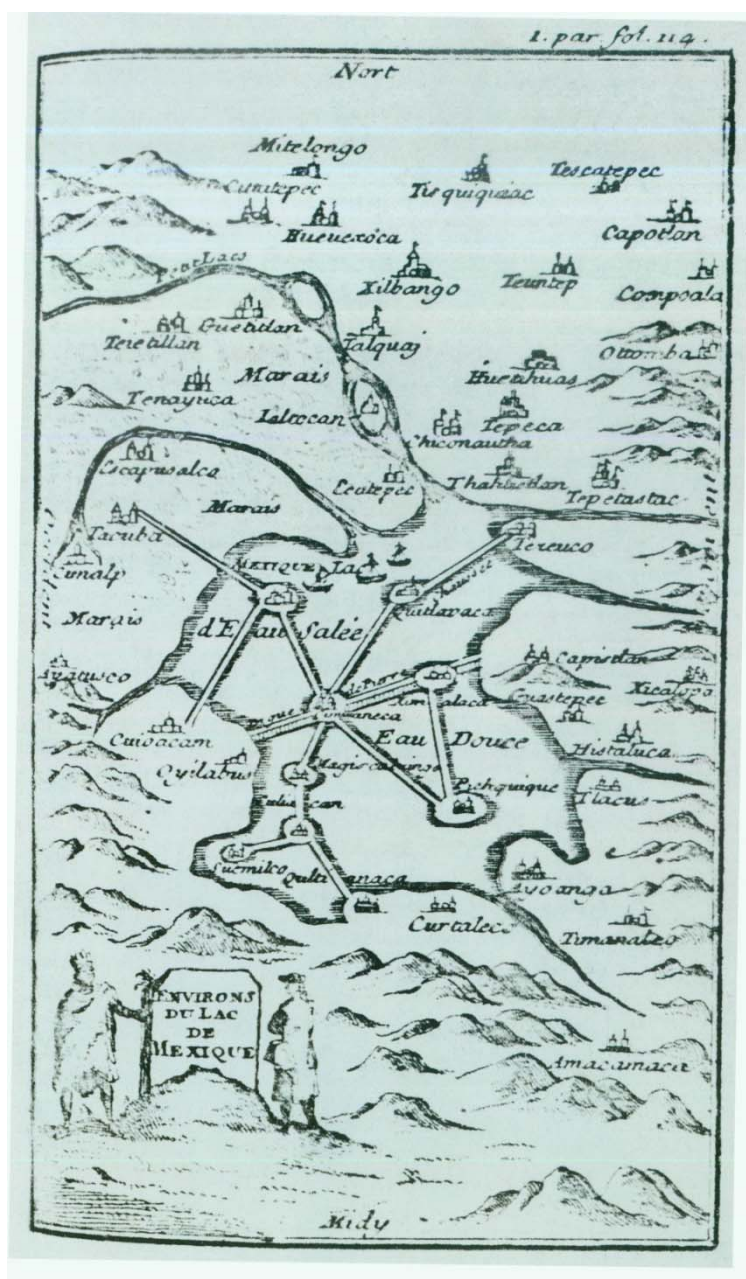


Figure I-8. Lake Texcoco and surroundings, map published by Tomás Gage, 1695. Sonia Lombardo de Ruiz. *Atlas histórico de la Ciudad de México*, ed. Mario de la Torre. Mexico City: Smurfit Cartón y Papel de México, SA de CV, Conaculta, INAH, 1996, pl. 104.

MAPA DELAS AGUAS QUE POR EL CIRCULO DE 20 LEGUAS VIENEN A LA  
LAGUNA DE TESCUCO Y DE LA ESTENSION QUE ESTAY LA DE CHALCO TENIAN SACADO DEL QUE EN EL SIGLO ANTECEDENTE DELIG.  
neo D<sup>o</sup> Carlos de Sigüenza

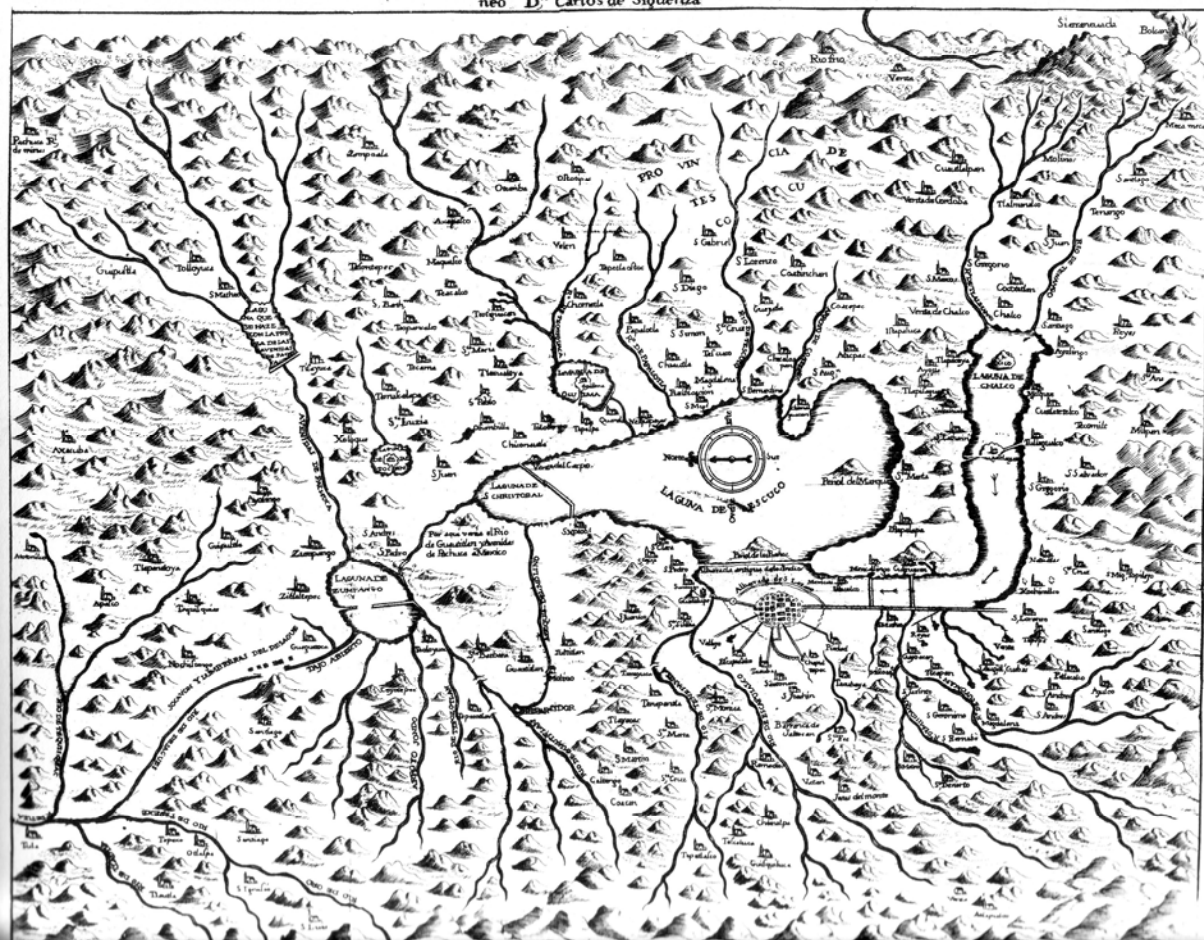


Figure I-9. Map of the Basin of Mexico and its rivers, Carlos de Sigüenza y Góngora. Ola Apenes, *Mapas antiguos del Valle de México*. Mexico City: Universidad Nacional Autónoma de México, Instituto de Historia, 1947, pl. 18.





Figure I-10. Hydraulic system in the Basin of Mexico. Enrique Vela. "La cuenca de México a vuelo de pájaro." *Arqueología mexicana* XII, No. 68 (July-August 2004), p. 85.

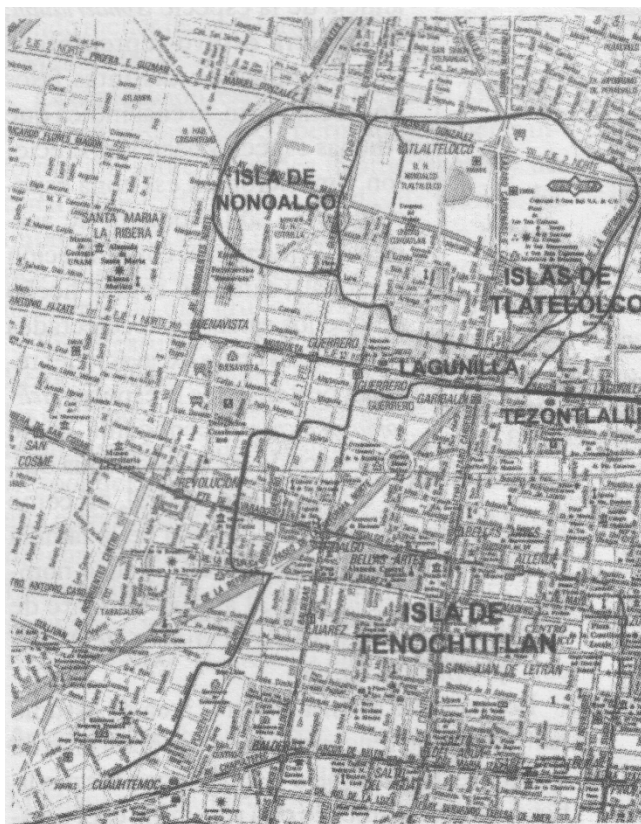


Figure I-11. The islands of Tlatelolco and Tenochtitlan. Alberto Mena Cruz, Janis Rojas Gaytán, and María de Jesús Sánchez Vázquez, “Propuesta para la configuración geográfica de la isla de Tlatelolco en el Posclásico,” *Arqueología. Revista de la Dirección de Arqueología del Instituto Nacional de Antropología e Historia. Segunda Época*, No. 38 (May-August 2008): 88, Fig. I-5.



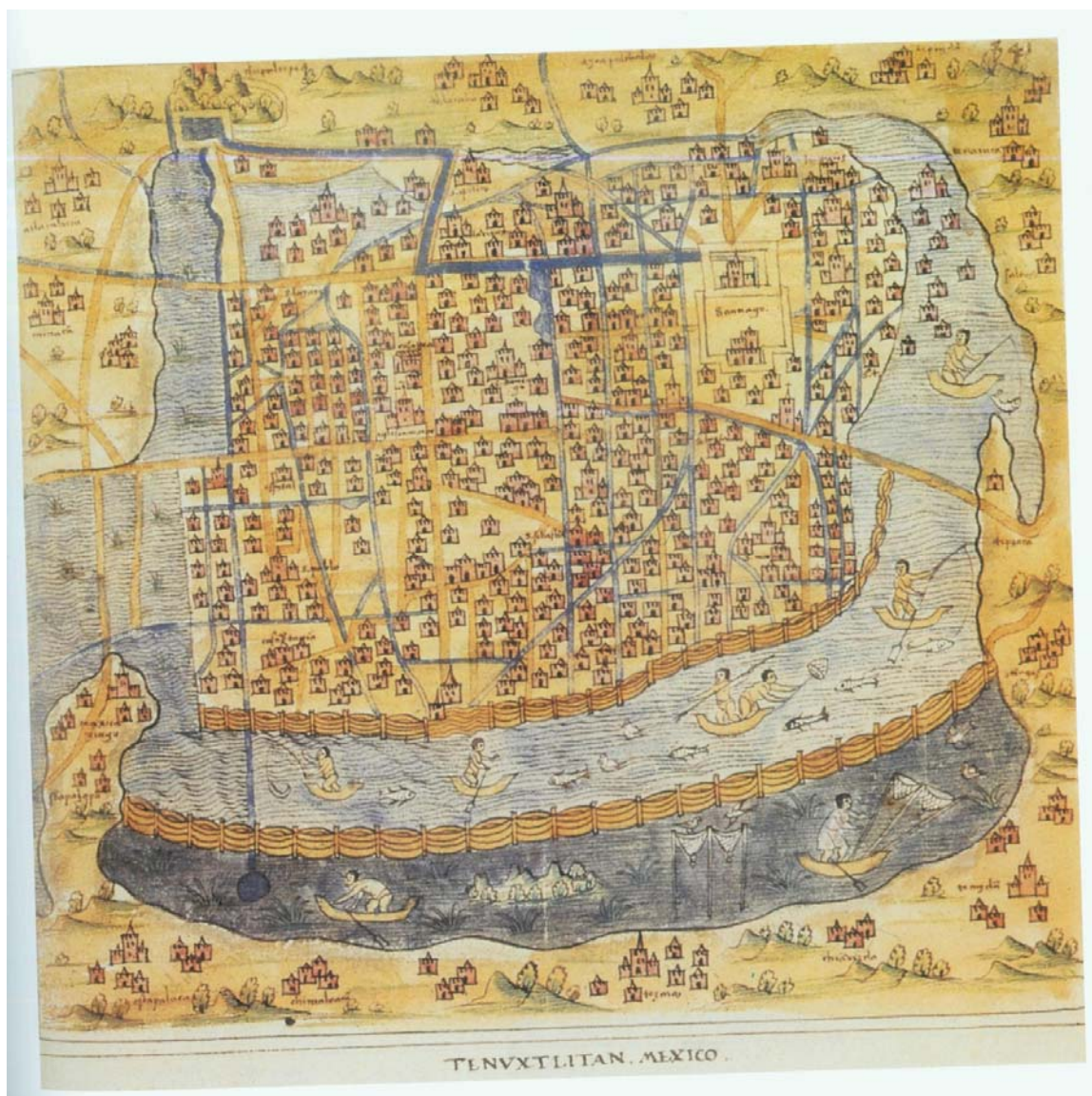


Figure I-12. The city of Mexico Tenochtitlan, Alonso de Santa Cruz, 1556. Sonia Lombardo de Ruiz. *Atlas histórico de la Ciudad de México*, ed. Mario de la Torre. Mexico City: Smurfit Cartón y Papel de México, SA de CV, Conaculta, INAH, 1996, pl. 116.

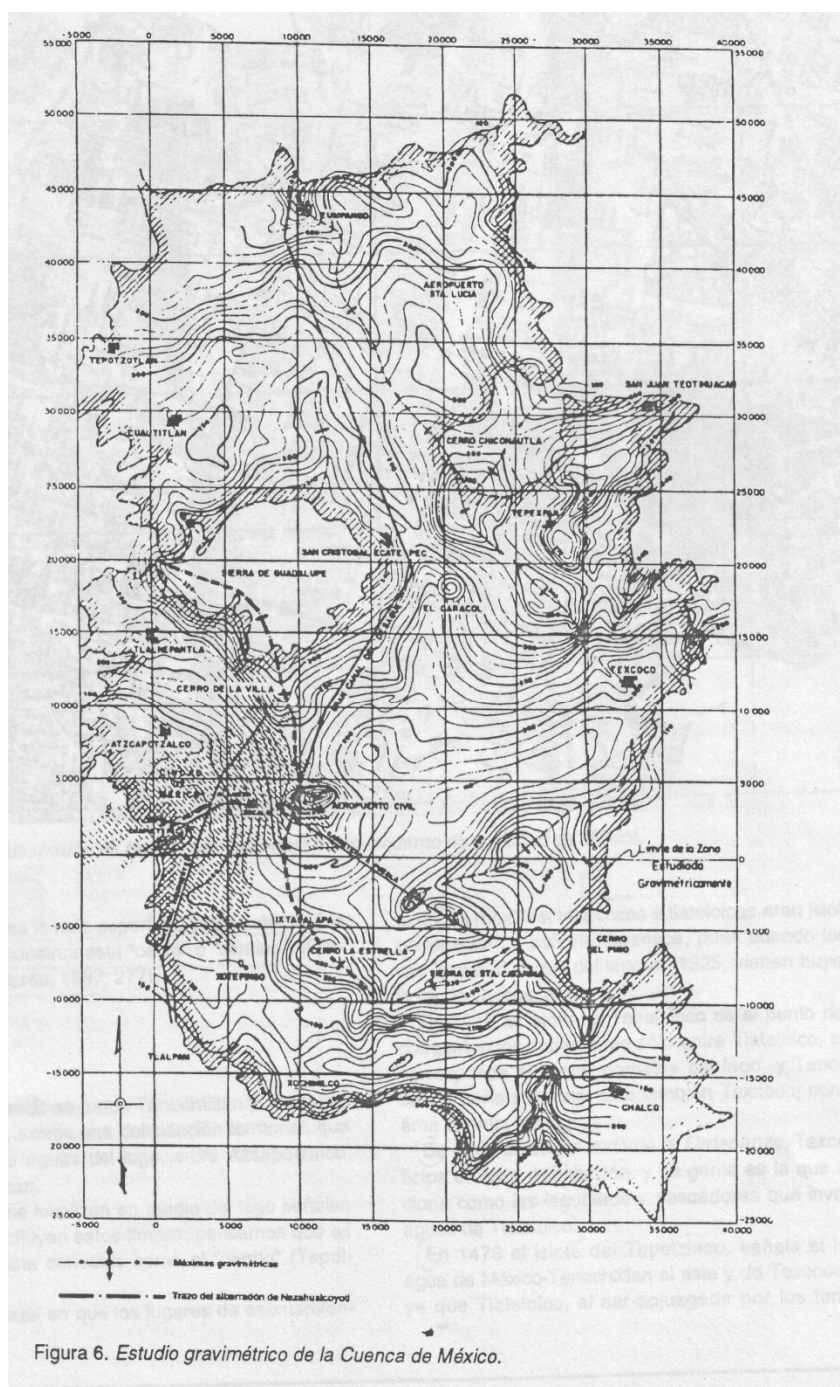


Figure I-13. Gravimetric analysis of the Basin of Mexico. Margarita Carballal Staedtler, and María Flores Hernández, “Los derechos de agua de Tlatelolco durante los siglos XV y XVI: su límite oriente.” *Arqueología. Revista de la Dirección de Arqueología del Instituto Nacional de Antropología e Historia. Segunda Época*, No. 11-12 (January-December 1994): 97-109, Fig. I-6.





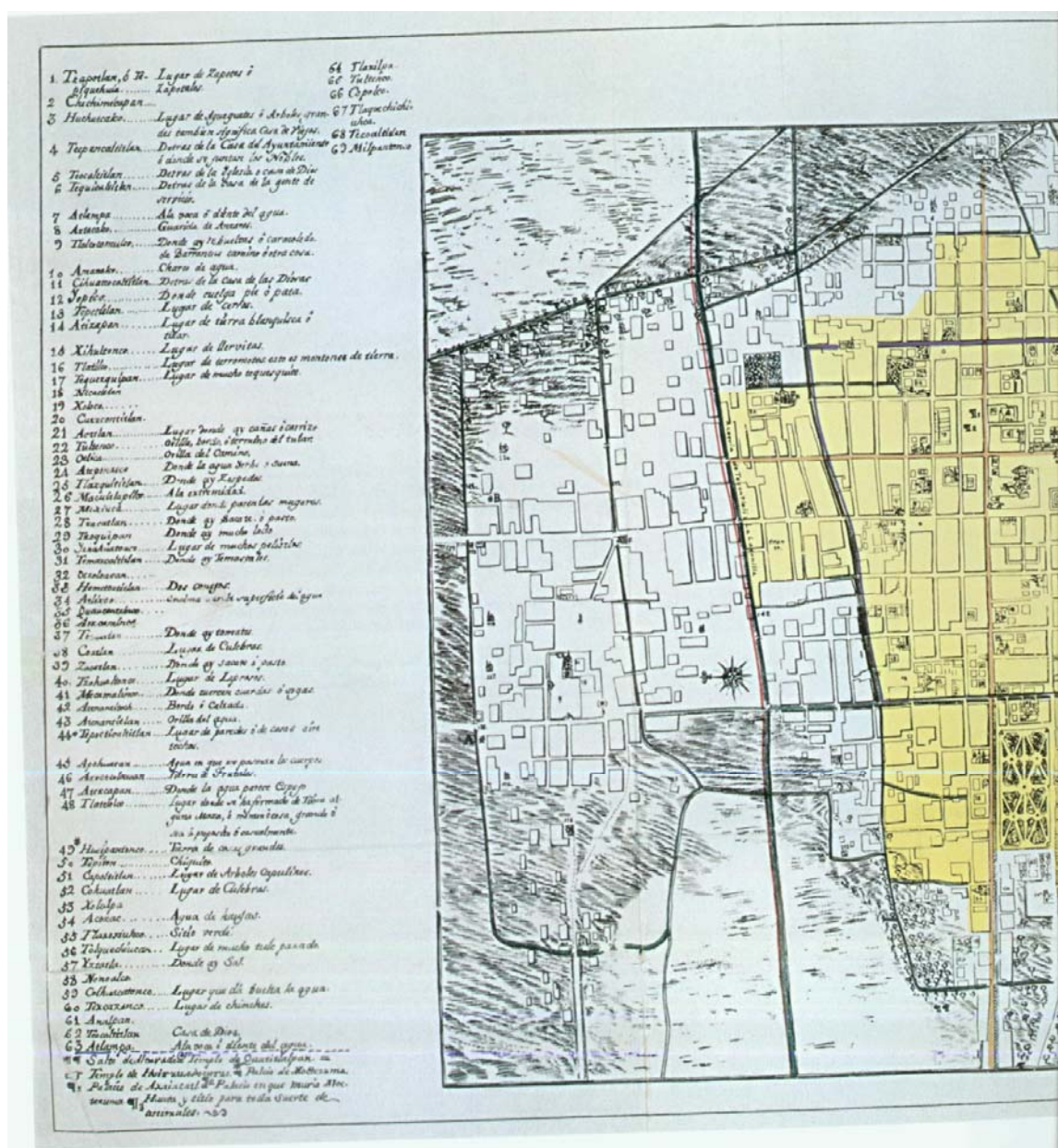


Figure I-15. Map of Tenochtitlan, José Antonio de Abel Mendoza Alzate y Ramírez Atlas. Sonia Lombardo de Ruiz. *Atlas histórico de la Ciudad de México*. Edited by Mario de la Torre. Mexico City: Smurfit Cartón y Papel de México, SA de CV, Conaculta, INAH, 1996, pl. 141.

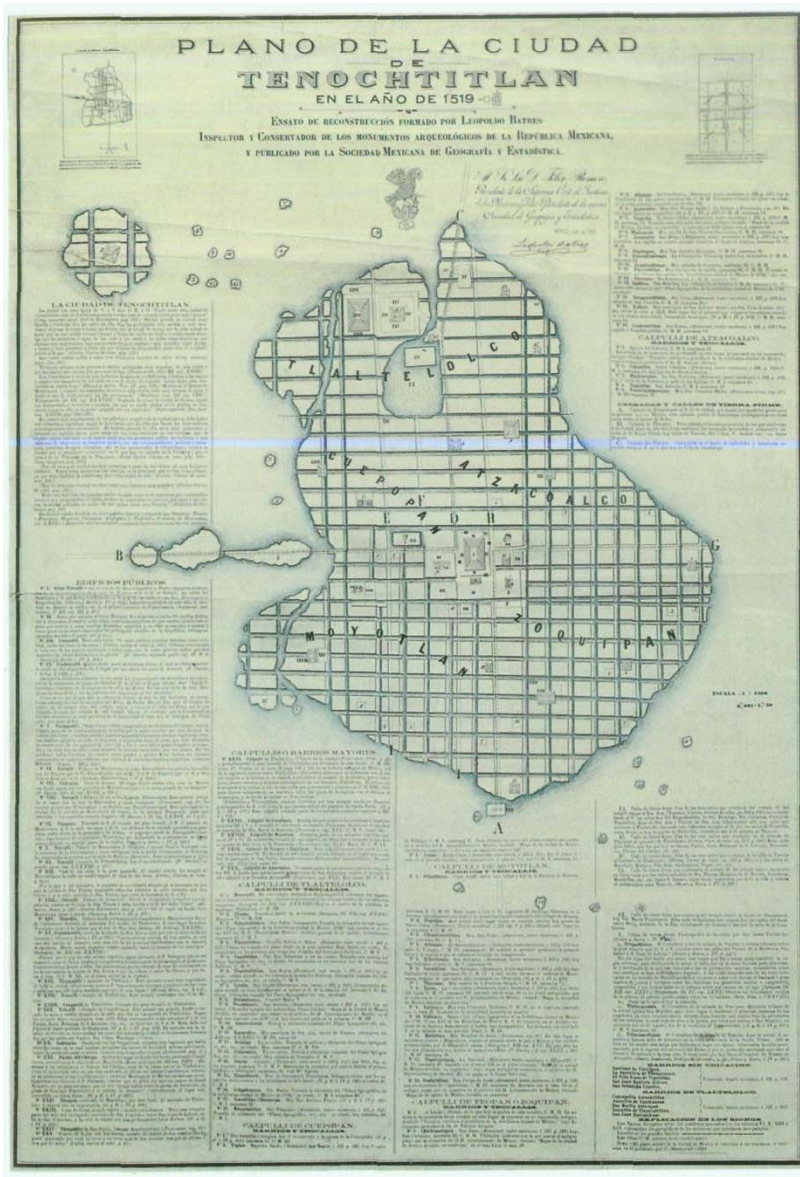


Figure I-16. Tenochtitlan, Leopoldo Batres, 1892. Sonia Lombardo de Ruiz. *Atlas histórico de la Ciudad de México* ed. Mario de la Torre. Mexico City: Smurfit Cartón y Papel de México, SA de CV, Conaculta, INAH, 1996, pl. 19.



● Fig. 1 El camino al tianguis prehispánico de Tlatelolco, en la Ciudad de México. Vista general (N-S) del camino.

Figure I-17. The road to Tlatelolco's market. María de Jesús Sánchez Vázquez and Alberto Mena Cruz, "El camino al tianguis prehispánico de Tlatelolco, en la Isla de México," *Arqueología. Revista de la Dirección de Arqueología del Instituto Nacional de Antropología e Historia. Segunda Época*, No. 26 (July-December 2001): 139-143, Fig. I-1.



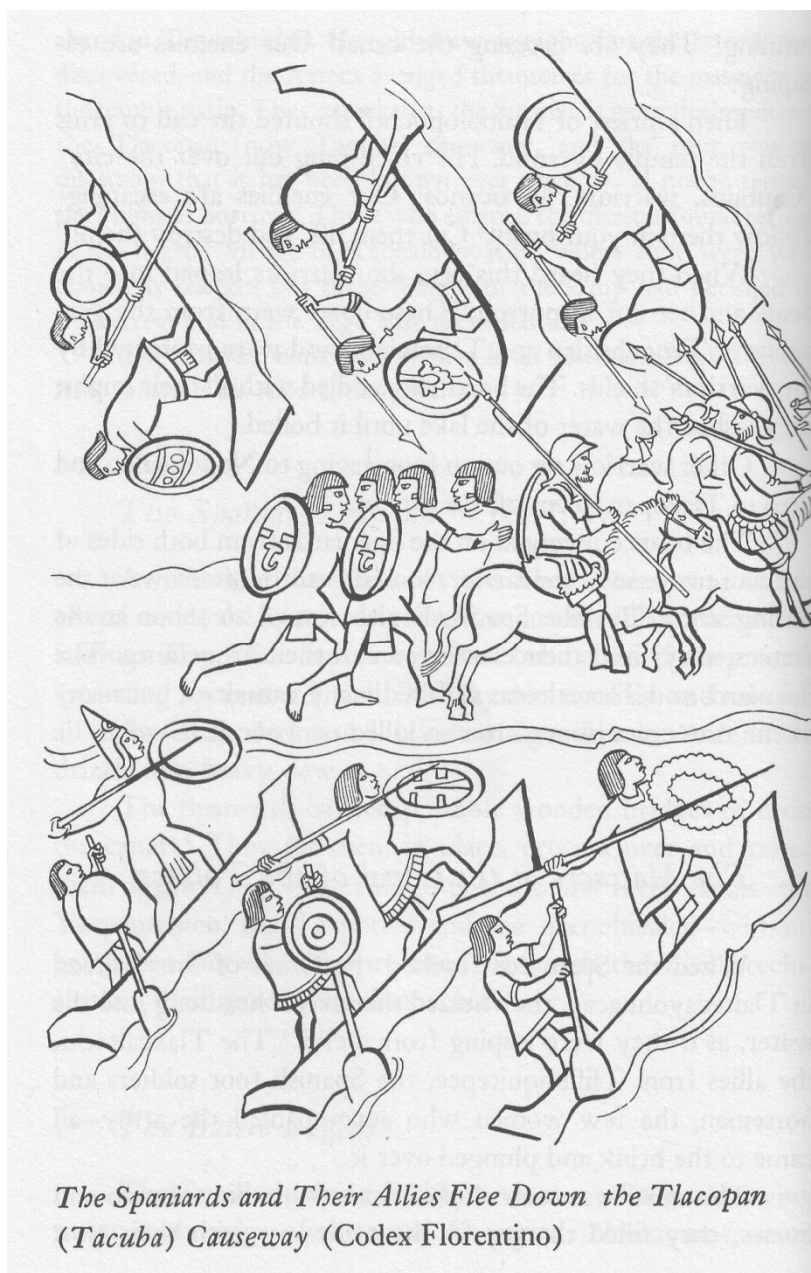


Figure I-18. The Mexica surround the Spaniards and their indigenous allies. León-Portilla, Miguel. *The Broken Spears: the Aztec Account of the Conquest of Mexico*. Boston: Beacon Press, 1992, p. 86.

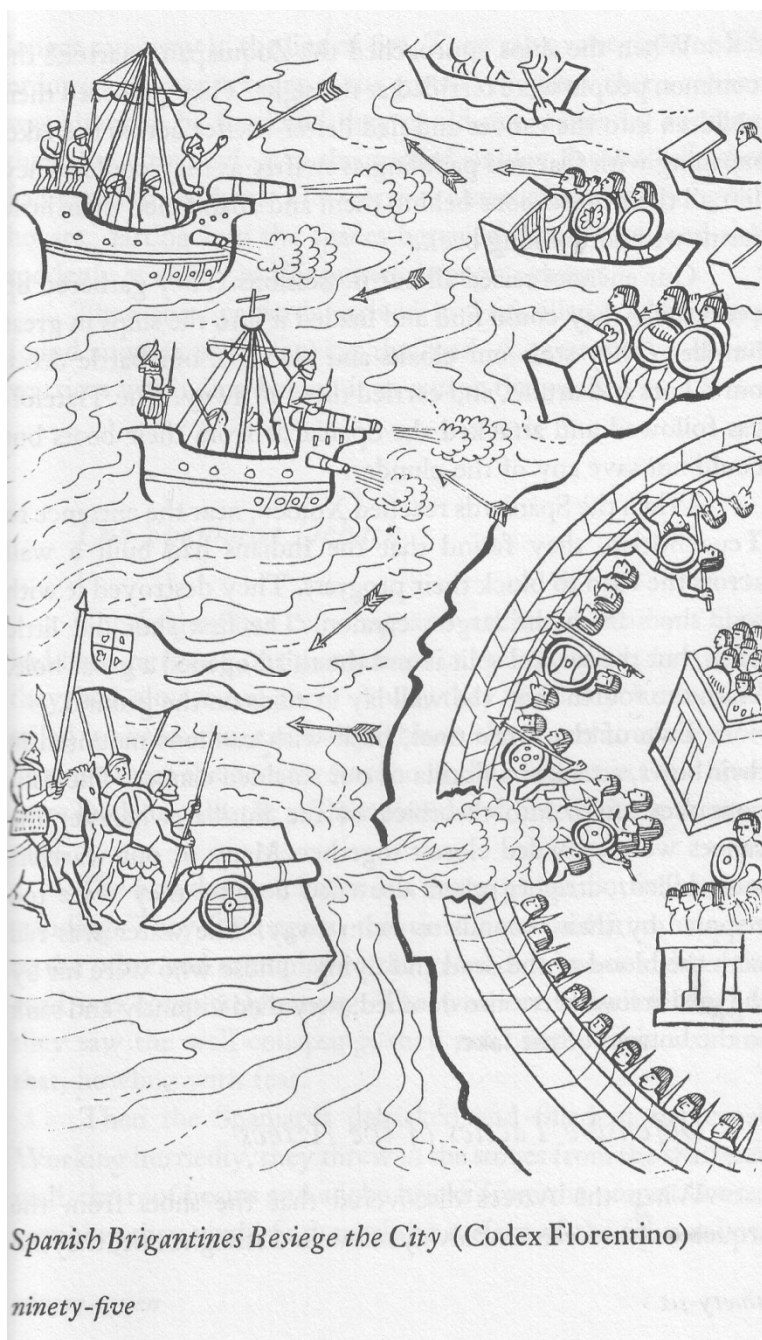


Figure I-19. Brigantines surround the island. Miguel León Portilla. *The Broken Spears: the Aztec Account of the Conquest of Mexico*. Boston: Beacon Press, 1992, p. 95.

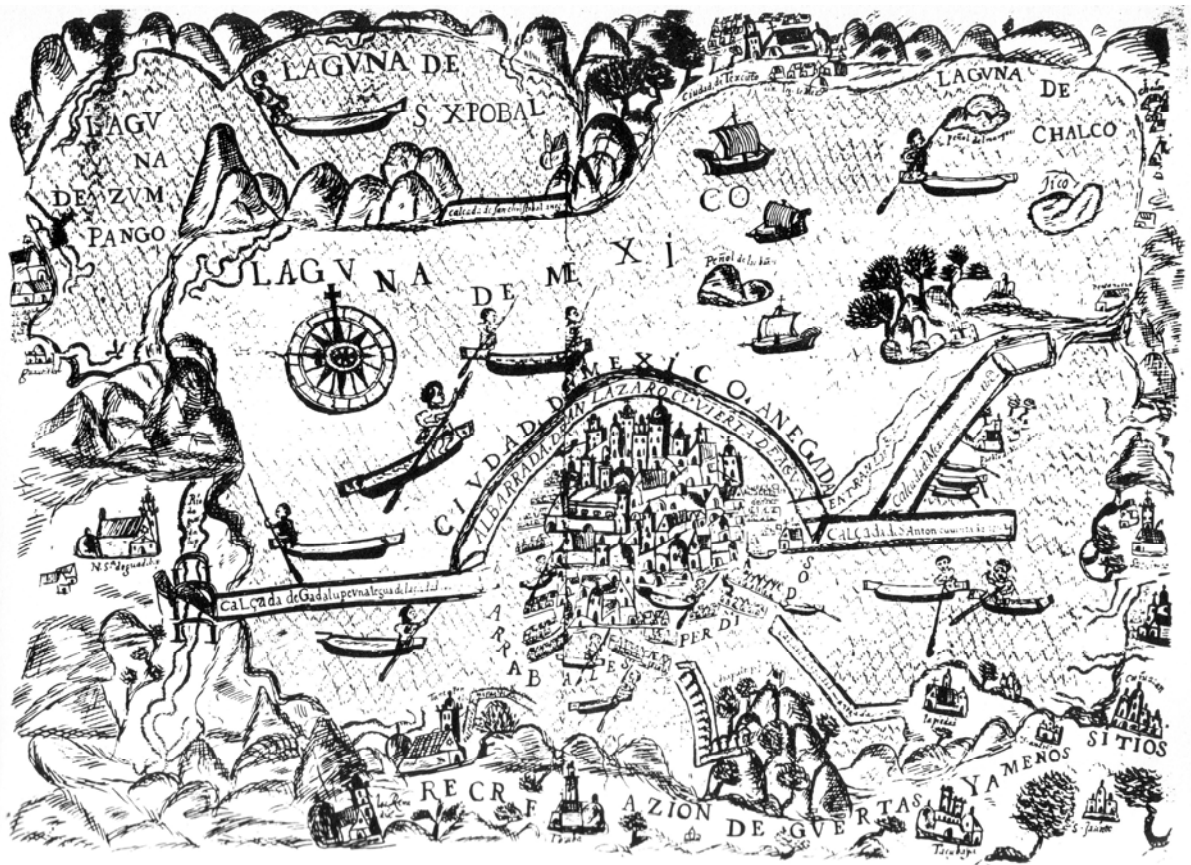


Figure I-20. Map of Mexico City flooded, 17<sup>th</sup> century. Ola Apenes, *Mapas antiguos del Valle de México*. Mexico City: Universidad Nacional Autónoma de México, Instituto de Historia, 1947, pl. 14.

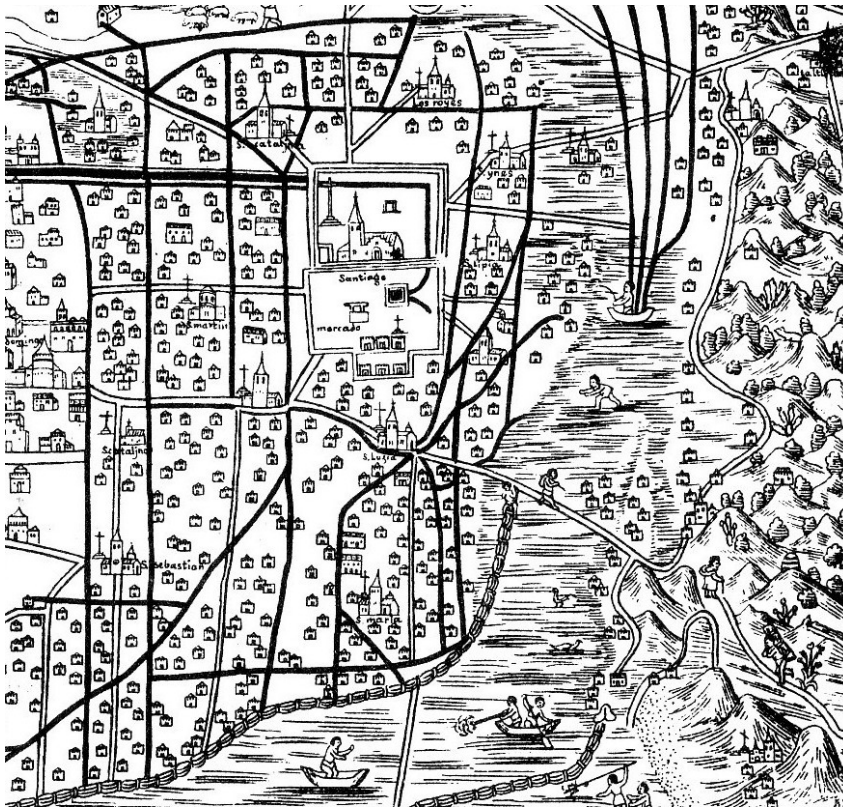


Figure I-21. The *parcialidad* of Santiago Tlatelolco, detail, Map of Santa Cruz. Ola Apenes, *Mapas antiguos del Valle de México*. Mexico City: Universidad Nacional Autónoma de México, Instituto de Historia, 1947, pl. 2.

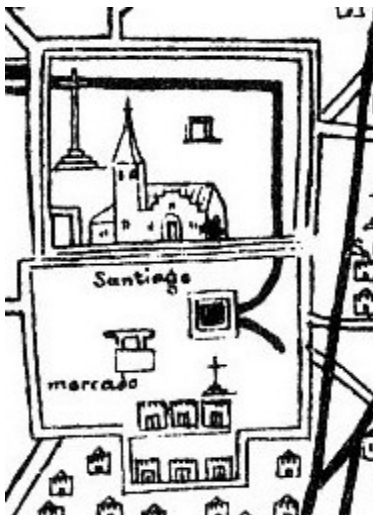
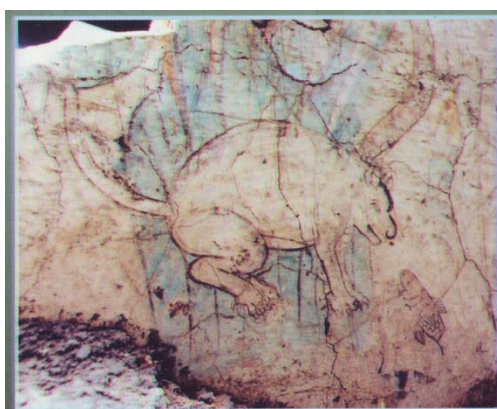
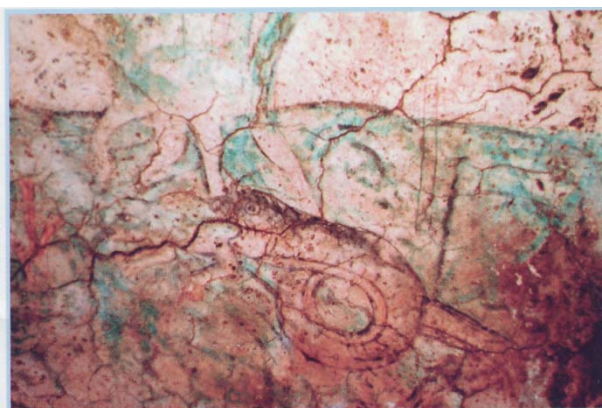


Figure. I-22. Santiago Tlatelolco's plaza, detail, Map of Santa Cruz. Ola Apenes, *Mapas antiguos del Valle de México*. Mexico City: Universidad Nacional Autónoma de México, Instituto de Historia, 1947, pl. 2.

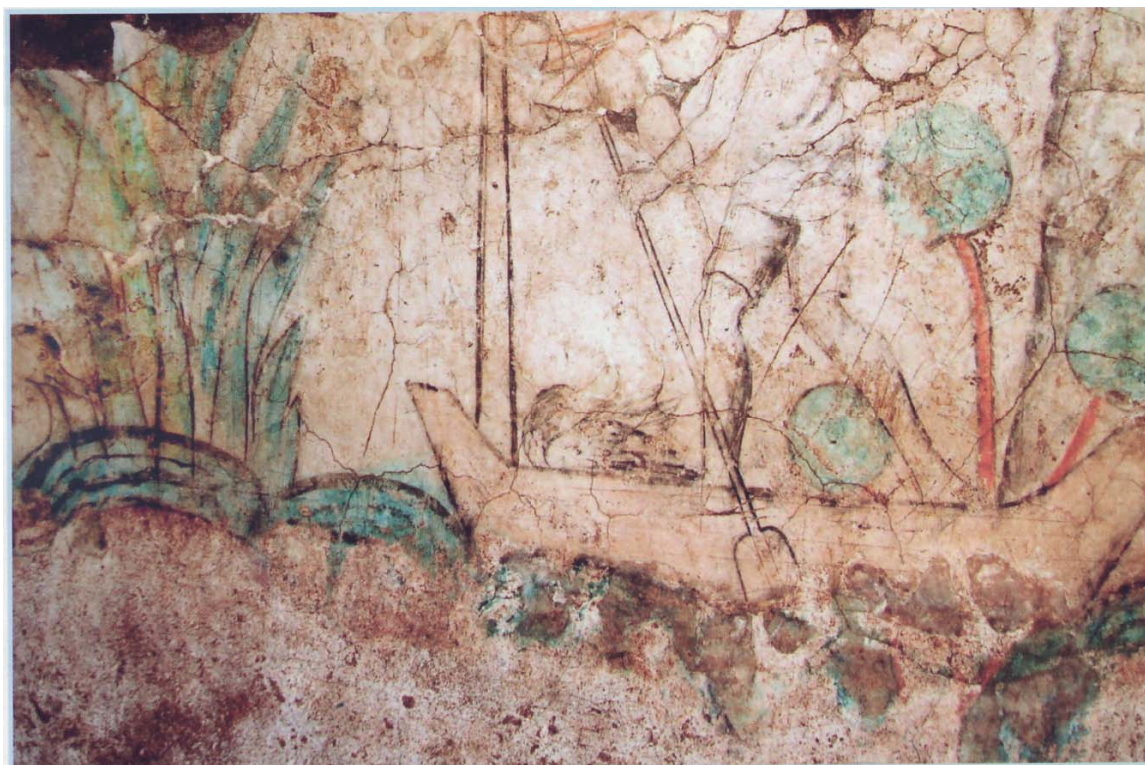




Ahuizotl mirando un pez, en la parte central de la mitad norte del muro oeste



Serpiente de cascabel, devorando una rana, en el segmento 3 norte



Pescador y pato en una canoa, en el segmento 2 norte

Figure I-23. Detail, murals, Caja de Agua. Salvador Guilliem Arroyo. *Caja de agua*. Imperial Colegio de la Santa Cruz de Santiago Tlatelolco. Mexico City: Zona Arqueológica Tlatelolco, Instituto Nacional de Antropología e Historia, Consejo Nacional para la Cultura y las Artes, 2008, pp. 2-3.





Figure I-24. Mexico City, Juan Gómez de Trasmonte, 1623. Sonia Lombardo de Ruiz. *Atlas histórico de la Ciudad de México*, ed. Mario de la Torre. Mexico City: Smurfit Cartón y Papel de México, SA de CV, Conaculta, INAH, 1996, pl. 119.

## **CHAPTER II: TERRITORIAL CONFLICTS OF THE ALTEPETL**

As seen in the previous chapter, the arrival of the Spaniards had consequences, such as the degradation of the environment and the introduction of a new economic model that intensified competition over the basin's resources. Furthermore, the establishment of Mexico City on the island resulted in the loss of subsistence land in the form of chinampas. Thus, mainland holdings became even more important for the Tlatelolca and the Tenochca. The bitter disputes that followed are evidence of the new situation. Such conflicts took place not only between Spaniards and indigenous peoples, but also among different altepetl. In fact, select colonial documents suggest that at times the establishment of the viceroyalty and the resulting shift of power created opportunities of advancement for indigenous communities and individuals.

This chapter revolves around two major litigations that the people of Santiago Tlatelolco pursued during the sixteenth century: one was against doña Leonor Moteuczoma, one of Moteuczoma's daughters, while the other was against Azcapotzalco's cabildo. These two cases exemplify the struggles over land and resources. Both cases were extremely complicated: they spanned most of the sixteenth century; they involved indigenous and Spanish authorities; and they seem to have had no end. Their complexity and the involvement of the most important judicial institutions of the time, as well as the participation of all levels of indigenous society, make them fundamental for understanding the relationship between the former hegemonic polities of central Mexico -

-the Azcapotzalca, the Tenochca, and the Tlatelolca, -- as well as the relationship between different indigenous peoples and the Spanish. An early lawsuit pitted Santiago Tlatelolco against two of Moteuczoma Xocoyotzin's descendants, doña Leonor Moteuczoma and later don Diego Arias de Sotelo, her son-in-law. These cases illustrate the rivalry that took place between members of the Tenochca dynastic family and the Tlatelolca. At the same time, they indicate that the indigenous cabildos of San Juan Tenochtitlan and Santiago Tlatelolco could join forces against land encroachment by outsiders.

The lawsuit against Azcapotzalco highlights the significance of the environment in the conflicts over land. In this specific litigation, Azcapotzalco and Santiago Tlatelolco were also fighting over water, its sources, its canals, fisheries, and ponds. Finally, I examine how the relationships among Azcapotzalco, Tenochtitlan, and Tlatelolco in the precontact era evolved during colonial times.

### **LAWSUIT AGAINST DOÑA LEONOR MOTEUCZOMA**

This litigation began in the early sixteenth century. In April 1531, Cristóbal de Valderrama, doña Leonor Moteuczoma's husband, pressed charges against don Hernando de Tapia, Petacalca --officers of the indigenous cabildo of San Juan Tenochtitlan,-- and don Juan Quauiconoc, governor of Santiago Tlatelolco, for "appropriating" the districts (*estancias*) of Acalhuacan, Cuauhtitlan, Tocayuca, Talpetan, Açenpa, and Tacalco.<sup>1</sup>

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<sup>1</sup> In this manifest Petacalca is identified as an officer of San Juan Tenochtitlan's indigenous cabildo. In another sixteenth-century lawsuit that involved doña Isabel Moteuczoma, a witness identified Petacalca as the main steward of the city (*mayordomo mayor de la ciudad*), who as such had lived in the same palace as Moteuczoma. Emma Pérez Rocha, *Privilegios en lucha. La información de doña Isabel Moctezuma* (Mexico City: Instituto Nacional de Antropología e Historia, 1998), 81.

According to Valderrama, in 1527 Hernán Cortés had given the *estancias* to doña Leonor Moteuczoma as part of the *encomienda* of Ecatepec, and she retained possession rights over them until don Hernando de Tapia, Petacalca, and don Juan summoned and ordered the rulers of Acalhuacan and Cuauhtitlan to stop serving and paying tribute to doña Leonor and Valderrama and to serve and pay tribute to Santiago Tlatelolco's cabildo instead. In 1536, the Real Audiencia of New Spain issued a final judgment in favor of doña Leonor and Valderrama and ordered the people of Santiago Tlatelolco to return them their property in Acalhuacan and Cuauhtitlan. However, Governor don Juan Quauiconoc appealed the Audiencia's decision. The Consejo de Indias eventually heard the lawsuit, and it overturned the Audiencia's judgment in 1538.<sup>2</sup>

In the lawsuit, don Juan, Santiago Tlatelolco's governor and the rest of the cabildo stated that the survival of the people of Santiago depended on the possession of the disputed land, an argument that the Tlatelolca would use in other cases as well. The Tlatelolca claimed that their city had been founded on an island in the midst of Lake Texcoco. The island did not have enough land to sustain the population through intensive cultivation alone. For this reason, its inhabitants depended on access to mainland

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Siméon defines "petlascalco" as the apartment in the royal palace where the steward who kept the bookkeeping lived. Siméon, *Diccionario de la lengua náhuatl o mexicana*, 379.

Lockhart defines the term *estancia* as a "privately owned tract of land for agrarian purposes." Lockhart, *The Nahuas*, 53. Other usages for the term *estancia* are discussed in Chapter IV.

<sup>2</sup> Archivo General de Indias, (hereinafter, AGI) Justicia, Vol. 124, No.5 and AGI, Justicia, Vol. 159, No. 5.

resources. The Tlatelolca's mainland subjects provided Tlatelolco with tribute in the form of natural and manufactured goods and also labor.

In this legal process, Santiago Tlatelolco's witnesses declared that since precontact times, Tlatelolco had had possession of mainland estancias named Acalhuacan, Cuauhtitlan, Tocayuca, Talpetan, Açenpa, and Tacalco. They added that for many decades, the inhabitants on the estancias had taken products from their region to the rulers of Tlatelolco. The witnesses presented an extensive list of such commodities, including poultry, fish, maize, fruits, chili pepper, beans, wheat, salt, *chia*, *bledos*, *yerba* (swamp plants), maguey, *henequén* (a type of agave whose fiber was used to make rope and clothes), and other produce. The estancias also provided Santiago Tlatelolco with finished goods, such as *petates* (mats made from reed fibers), clothes made from henequén, wine, and honey made from the maguey. Santiago's witnesses explained that the value of these products was very high not only because of their nature but also because they were produced so close to the city. According to their testimonies, the estancias also provided material for Mexico City's public works, such as limestone, other stone, sand, lumber, and soil. Although the testimonies suggest that the witnesses were very uncomfortable when asked what the value of the estancias would be if they were sold, a fact that suggests that the sale of land was still not that common in the 1530s, in 1536, Santiago's witnesses appraised the value of the estancias from 2,000 to 12,000 *pesos de oro de minas*.<sup>3</sup> It was easier for Santiago's witnesses to assess the value of the

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<sup>3</sup> That same year, Valderrama's witnesses declared that the value of the land was no more than 500 pesos. AGI, Justicia, 159, No. 5, f. 1276v and 1285v; AGI, Justicia 124, No. 5, Part 5, f. 82. *Peso de oro de minas* was the most standard coin. It was also called *peso de oro de ley perfecta* or *peso de oro bueno* (in New Granada). It weighed

yearly tribute that the estancias contributed to Santiago. They believed that their contribution amounted to forty to fifty loads of *mantas de Cuernavaca* (expensive and fine cotton from Cuernavaca), which was equivalent to approximately 450 pesos. As if this were not enough, the estancias also provided Santiago with labor. During the colonial era, Santiago Tlatelolco, along with San Juan Tenochtitlan, had to construct and maintain Mexico City's public works. To fulfill this obligation, the Tlatelolca needed labor from their subjects. In the lawsuit, Santiago's witnesses stated that the people from the disputed estancias had assisted the people of Santiago in the construction of a drainage system, in the erection of Crown houses, and in the provision of service to the friars of San Francisco.

The relationship between Santiago Tlatelolco and the districts of Acalhuacan, Cuauhtitlan, Tocayuca, Talpetan, Azenpa, and Tacalco, as outlined by the witnesses, seems to correspond with precontact patterns of land tenure. Then, land tenure was one of the mechanisms that the indigenous nobility used to preserve their position and the status quo. The nobles distributed the polity's land among the altepetl's inhabitants. In return, they received tribute, labor, and personal service. For the altepetl's rulers, ownership or other rights over land were not as significant as was access to tribute and labor. Communities that were subject to an altepetl took their tribute to the latter. Until the mid-sixteenth century, the Spaniards who settled in New Spain followed the same system, i.e., they sought control over indigenous communities to have access to labor, whereas the

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4.219 grams, 22-22 ½ carats fine, and it was worth 450 maravedis. Lyle N. McAlister, *Spain & Portugal in the New World 1492-1700* (Minneapolis: University of Minnesota, 1984), 240.

control of land remained secondary.<sup>4</sup> The lawsuit between Valderrama and Santiago Tlatelolco's cabildo follows this paradigm, for both were fighting not so much over land, resources, or boundaries, but tribute.

The litigation records do not permit conclusive indication of the type of land involved. However, it is continually stated that don Juan, Santiago's governor, and the other principales were defending the land for themselves as well as for the rest of the Tlatelolca. This fact suggests that the land of the estancias belonged to the corporation. In other words, it might have been *calpollalli* or *tlaxilacallalli*, communal land whose products belonged to the *calpolli* (constituent of an altepetl).<sup>5</sup> In the summary of the case that Viceroy don Antonio de Mendoza made to Charles V, Mendoza explained that the governor and principales of Santiago Tlatelolco claimed that since time immemorial the estancias had been "bienes y herencias [...] de los señores y principales de Tlatelolco" (property and patrimony of the rulers and noblemen of Tlatelolco). Throughout the lawsuit, Santiago's cabildo also highlighted that for one or two centuries, the rulers of Tlatelolco had received tribute and service from the inhabitants of the estancias. This fact suggests another possibility: that the land in question might have been *tlatocatllalli*, "land attached to the office of the tlatoani."<sup>6</sup> Whether *calpollalli*, *tlaxilacallalli*, or *tlatocatllalli*,

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<sup>4</sup> Brian P. Owensby, *Empire of Law and Indian Justice in Colonial Mexico* (Stanford: Stanford University Press, 2008), 4.

<sup>5</sup> According to Rebecca Horn, another term for *calpollalli* was *tlaxilacallalli*. However, the latter was not used frequently. Rebecca Horn, *Postconquest Coyoacan. Nahuatl-Spanish Relations in Central Mexico, 1519-1650* (Stanford: Stanford University Press, 1997), 116.

<sup>6</sup> Horn, *Ibid.*, 121. It is likely that during the viceroyalty, *tlatocatllalli* became what Spanish authorities referred to as *tierra de propios*, land whose function

what made the land of the disputed estancias so desirable was that it yielded tribute, and, according to Santiago's witnesses, a great deal of tribute. Thus, this land could also be described as *tequitlalli* or *tequitcatlalli*, "land on which tribute was paid."<sup>7</sup>

*The Codex Chimalpopoca* suggests that prior to the arrival of the Spaniards the inhabitants of at least Cuauhtitlan and Acalhuacan were subject to the Tenochca and Tlatelolca rulers. Under the reign of Itzcoatl (r. 1427-1440), the Mexica confiscated land from the Chichimeca who inhabited the region that surrounded Cuauhtitlan. In 1435, both the Tenochca and the Tlatelolca went to the area to survey their land. They visited the districts known as Toltepec and Tepeyacac, as well as the Tlatelolca spring called Cuachilco, whose boundaries abutted Tlachcuicalco and Tozquenitlal.<sup>8</sup> On the other hand, in 1508 Moteuczoma Xocoyotzin distributed the land known as Tehuiloyocan, also located in the same region, to Tenochca and Tlatelolca nobles. According to the codex,

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was to pay a salary to the cabildo officers and thus, was classified as *bienes del consejo* (property of the council). It was difficult to identify this type of land because in the documents it was usually referred to as "bienes de comunidad, tierras de (la) comunidad o tierras comunales" (*communal property, land of the community, communal land*). Rik Hoekstra, "A Different Way of Thinking: Contrasting Spanish and Indian Social and Economic Views in Central Mexico (1550-1600)," in *The Indian Community of Colonial Mexico. Fifteen Essays on Land Tenure, Corporate Organizations, Ideology and Village Politics*, eds. Arij Ouweneel and Simon Miller (Amsterdam: Centro de Estudios y Documentación Latinoamericanos, 1990), 65. Ursula Dyckerhoff, "Colonial Indian Corporate Landholding: A Glimpse from the Valley of Puebla," in *The Indian Community of Colonial Mexico. Fifteen Essays on Land Tenure, Corporate Organizations, Ideology and Village Politics*, eds. Arij Ouweneel and Simon Miller (Amsterdam: Centro de Estudios y Documentación Latinoamericanos, 1990), 48.

<sup>7</sup> Horn, *Postconquest Coyoacan*, 119.

<sup>8</sup> *History and Mythology of the Aztecs. The Codex Chimalpopoca*, trans. John Bierhorst (Tucson and London: The University of Arizona Press, 1992), 71, 104.



these lands became communal.<sup>9</sup> In 1560, Tehuiloyocan was one of the six *sub-cabeceras* subject to Cuauhtitlan.<sup>10</sup> Consequently, the *Codex Chimalpopoca* seems to indicate that the people of Tlatelolco had land in the region where the estancias that Cristóbal de Valderrama and doña Leonor Moteuczoma claimed were located, making it plausible that the disputed estancias had in fact belonged to Tlatelolco.

After the fall of Mexico Tenochtitlan, the fate of Acalhuacan and the other estancias was uncertain. Very early on Hernán Cortés assigned Santiago Tlatelolco as property of the crown.<sup>11</sup> Despite the likelihood that during the precontact era the districts belonged to Santiago Tlatelolco, Cortés did not include them with the Crown's property of Santiago Tlatelolco. In 1553, in a second lawsuit between the people of Ecatepec, don Diego Arias de Sotelo, their encomendero, and the people of Santiago that involved the possession of Acalhuacan, Ecatepec's indigenous witnesses claimed that before the arrival of the Spaniards, the people of Acalhuacan served and paid tribute to Mexico Tenochtitlan's *tlatoani* (ruler), who was then Moteuczoma. But after the fall of Tenochtitlan, in Coyoacan Cortés ordered the people of Acalhuacan to serve and to be

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<sup>9</sup>        *The Codex Chimalpopoca* suggests that the recipient of this land was Tzihuacpopocatzin, who is discussed in Chapter IV. *History and Mythology of the Aztecs. The Codex Chimalpopoca*, 122-123.

<sup>10</sup>        A *sub-cabecera* was a *cabecera* (head town) that was subject to another cabecera. Peter Gerhard, *A Guide to the Historical Geography of New Spain* (Norman and London: University of Oklahoma Press, 1993), 128. Rafael Rubí Alarcón and Edgar Pavía Guzmán, *Historia general de Guerrero* Vol. II (Mexico City and Chilpancingo: Instituto Nacional de Antropología e Historia, Gobierno del Estado de Guerrero, JGH Editores, 1998), 105.

<sup>11</sup>        Charles Gibson, *The Aztecs*, 432-433.

subject to Ecatepec, for they were *dentro de sus términos* (within their boundaries).<sup>12</sup>

Cortés's command is not surprising, given that he was the first to claim and benefit from Ecatepec and its subjects. Later, he gave Ecatepec, which included Acalhuacan, as an encomienda to Juan de Villanueva, his steward. In March 1527, he reassigned the encomienda of Ecatepec to doña Leonor Moteuczoma. He gave it as dowry when he arranged for her marriage to Juan Paez, a Spanish conquistador.

For a brief period of time, the inhabitants of the estancias worked on the construction of the friary of San Francisco, and they provided food and lumber to the Franciscan friars. After finishing the friary, they continued to serve Juan Paez. After his death, doña Leonor married Cristóbal Valderrama who then obtained possession of the encomienda of Ecatepec and the disputed estancias. According to Valderrama's witnesses, treasurer Alonso de Estrada tried to give the estancias to his son-in-law, don Luis de Guzmán. However, doña Leonor and Valderrama engaged successfully in a lawsuit against Estrada and Guzmán and continued to possess the estancias until don Juan and other *principales* (high ranking men) from San Juan Tenochtitlan ordered the inhabitants of the aforementioned estancias to stop providing tribute and labor to doña Leonor and to give both to the rulers of San Juan Tenochtitlan and Santiago Tlatelolco.

Nonetheless, Don Juan's side of the story was very different. According to his witnesses, during the first decades of the colonial period, the inhabitants of the estancias continued to pay tribute and service to Santiago Tlatelolco. However, the testimonies of Santiago's witnesses presented some variations. Several affirmed that they had not served anyone else; others, that they had served doña Leonor and the Franciscan friars

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<sup>12</sup> AGI, Justicia, Vol. 159, No. 5.

voluntarily, i.e., without being obliged to do so, and still others stated that they had served both doña Leonor and the Franciscan friars upon the order of Santiago's rulers. In the end, the testimonies do not clarify whether or not the estancias were fulfilling their obligations as Santiago Tlatelolco's subjects.

Tlatelolco was the setting for the fall of Mexico Tenochtitlan. In the midst of the chaotic situation that befell Tlatelolco and Tenochtitlan after the fighting was over, Cortés, without waiting for royal authorization, began to distribute encomiendas among the first conquerors.<sup>13</sup> He also gave encomiendas to Moteuczoma's children.<sup>14</sup> When Cortés reassigned Ecatepec to doña Leonor, he lacked knowledge as to the extent of the lands he distributed, and thus did not know the actual demarcation of Ecatepec.<sup>15</sup> In his testimony in favor of doña Leonor and Valderrama, Cortés declared that he had granted Ecatepec to doña Leonor but did not know whether the disputed districts were subject to it or not.

With the establishment of the First Real Audiencia in 1528, the Crown attempted to control the power of the conquistadors, or *adelantados*, who had become the first encomenderos. Although the president Nuño de Guzmán and his *oidores* (judges of the

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<sup>13</sup> Ethelia Ruiz Medrano, *Reshaping New Spain. Government and Private Interests in the Colonial Bureaucracy, 1531-1559* (Boulder: University Press of Colorado, 2006), 15.

<sup>14</sup> Cortés gave perpetual encomiendas to doña Isabel, doña Marina (later known as Leonor), and don Pedro. Donald E. Chipman, *Moctezuma's Children. Aztec Royalty Under Spanish Rule, 1520-1700* (Austin: University of Texas Press, 2005), 53.

<sup>15</sup> To recapitulate, Cortés first assigned the encomienda of Ecatepec to himself; later, he reassigned it to Villanueva, and he finally reassigned it to doña Leonor Moteuczoma in 1527.

Real Audiencia) were known for their exploitation of indigenous peoples and their nepotism, their position was not that clear-cut.<sup>16</sup> Neither was that of the Second Audiencia which came to power in 1530 to restrict the power of the encomenderos, including that of Nuño de Guzmán. During the 1530s, Santiago Tlatelolco not only confronted Cristóbal de Valderrama and doña Leonor in the defense of Acalhuacan, Cuauhtitlan, and the rest of the estancias, but also Gil González de Benavides, brother of Alonso de Ávila, a conquistador, and the people of Xaltocan in the defense of the estancias known as Xoloc, Açonpa, Tecalco, and Tonanitla (See Fig. II-1).<sup>17</sup>

The people of Santiago Tlatelolco accused Gil González de Benavides of appropriating Xoloc and Açonpa. In a series of letters to Charles V dated 1532, 1541, 1543, and 1563, Jerónimo López, adelantado and secretary of the Real Audiencia, and Francisco Morales accused the treasurer of the Audiencia, Alonso de Estrada, and the Viceroy, don Diego de Mendoza, of favoritism towards Gil González. Jerónimo López explained that Cortés had given Cuauhtitlan and Xaltocan in encomienda to Alonso de Ávila. When the latter accompanied don Francisco de Montejo to Yucatan, his brother

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<sup>16</sup> It is common knowledge that in 1530 the crown dismissed the First Audiencia as a consequence of their wrongdoing against indigenous peoples. However, Ethelia Ruiz Medrano suggests that the dismissal of the First Audiencia was also the result of political conflicts. For instance, the lack of clear jurisdiction between the protector of the Indians and the Audiencia originated fierce confrontation between fray Juan de Zumárraga and the First Audiencia during 1529 and 1530. In 1531, the people of Huejotzingo and Hernán Cortés, their encomendero, initiated a lawsuit against the First Audiencia for requesting an excessive amount of tribute from an encomienda that belonged to Cortés. Ruiz Medrano, *Reshaping New Spain*, 16, 61, 69-70.

<sup>17</sup> AGI, Justicia, Vol. 123. Santiago Montoto, ed., *Colección de documentos inéditos para la historia de Ibero-América* Vol. I (Madrid: Editorial Ibero-Africano-Americana, 1927-1932), 83-84; 97-103; 109-112; 359-368.

Gil González asked Estrada, the Audiencia's treasurer, and a close friend, to grant him the encomiendas assigned to Alonso de Ávila so they would not revert to the crown in case González's brother died in battle. Estrada agreed, and to ratify it he gave González a secret *cédula* (mandate), secret because it lacked the signature of a scribe and only had that of the treasurer. When González tried to take possession of Xoloc and the other estancias, don Juan Quauiconoc, governor of Santiago Tlatelolco, complained before the First Audiencia. According to Santiago's witnesses, Nuño de Guzmán returned Xoloc and the other estancias to the people of Santiago Tlatelolco. This is surprising given that Guzmán and his oidores had been accused of granting encomiendas in an unjust manner to their relatives, retainers, and friends.<sup>18</sup>

After the death of Alonso de Ávila, Jerónimo López and Sebastián Ramírez de Fuenleal, bishop of Santo Domingo and presiding judge of the Second Audiencia, wanted to put into a *corregimiento* the natives that Ávila had in encomienda. Corregimientos were districts under the control of Spanish-appointed "short-term lieutenant governors" called *corregidores*. Since they were "direct royal representatives," their introduction marked the Crown's intent to gain more direct authority over the colonies and over the encomenderos.<sup>19</sup> López and Ramírez de Fuenleal's actions suggest that some members of

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<sup>18</sup> Ruiz Medrano, *Reshaping New Spain*, 69-70. Chipman, *Moctezuma's Children*, 55.

<sup>19</sup> James Lockhart and Stuart B. Schwartz, *Early Latin America. A History of Colonial Spanish America and Brazil* (Cambridge: Cambridge University Press, 1983), 104-105. See also Ethelia Ruiz Medrano, *Gobierno y sociedad en Nueva España: Segunda Audiencia y Antonio de Mendoza* (Zamora, Mexico: El Colegio de Michoacán and el Gobierno del Estado de Michoacán, 1991) and Pilar Arregui Zamorano, *La Audiencia de México según los visitantes (Siglos XVI y XVII)* (Mexico City:

the Second Audiencia, including its president, tried to give more authority to the Crown over the Spanish colonists whose interests were at times opposite to the Crown's. However, several oidores opposed Ramírez de Fuenleal's intent. Did they have a personal connection with Gil González? It is likely. According to James Lockhart and Stuart B. Schwartz, oidores and treasurers usually had strong social connections with encomenderos and entrepreneurs.<sup>20</sup> When Gil González showed the Audiencia the cédula that Alonso de Estrada had signed, its judges confirmed the encomienda, even though the grant had not followed a lawful procedure. This outcome suggests that in fact the relationship between some oidores and the encomenderos was strong enough to bypass the people of Santiago Tlatelolco. In addition, Jerónimo López also accused Viceroy Mendoza of favoring González because he was one of his close friends.<sup>21</sup>

As he had done in the case of Xoloc with the First Audiencia, don Juan attempted to recover Santiago's jurisdiction over Acalhuacan, and he sought the protection of the Second Audiencia. According to several witnesses, don Juan and the other principales of Santiago and San Juan Tenochtitlan summoned the principales of the estancias to the house of Oidor Juan de Salmerón where they ordered the estancias to serve them instead

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Universidad Nacional Autónoma de México, Instituto de Investigaciones Jurídicas, 1985).

<sup>20</sup> Lockhart and Schwartz, *Early Latin America*, 104-105.

<sup>21</sup> Viceroy don Antonio de Mendoza seems to have shown the same type of favoritism to Gil González's son, Alonso de Ávila Alvarado. In contradiction of the royal mandate that prohibited the granting of encomiendas, Viceroy Mendoza gave Ávila Alvarado his father's encomiendas. Montoto, ed., *Colección de documentos inéditos*, 100-101, 109-110, 359-368.

of doña Leonor.<sup>22</sup> When the people of Acalhuacan complied, in October 1532, Valderrama initiated a lawsuit against the indigenous cabildos of Santiago Tlatelolco and San Juan Tenochtitlan. In April 1536, the Real Audiencia issued a judgment in favor of Valderrama and doña Leonor, and it ordered don Juan to return the estancias to Valderrama.

In the initial lawsuit, doña Leonor and Valderrama's *procurador* presented several arguments. First, he explained that Valderrama did not fight over the property of the estancias because they were encomiendas, and thus he had only usufruct rights, i.e., he had only possession or use rights. For this reason, Valderrama requested the lawsuit to focus on possession rights and not on property rights. In the Spanish medieval legal system, only the Crown had the right of domain or property over the land of their kingdom, and they could allocate this land among their vassals. The latter, in turn, only had the right of possession or use of this land.<sup>23</sup> This was especially true in New Spain, where the Spanish Crown attempted to retain the authority to distribute land in order to limit the power of the adelantados and of the encomenderos.<sup>24</sup> In his argument,

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<sup>22</sup> Rodrigo de Castañeda, Gonzalo, and don Francisco (principales of Cuauhtitlan) and Taclasteque (principal of Acalhuacan) made this statement in their testimony. AGI, Justicia, Vol. 124, No. 5.

<sup>23</sup> José Luis Lacruz Berdejo, *Elementos de derecho civil. III derechos reales. Volumen primero. Posesión y propiedad* (Madrid: Editorial Dykinson, 2003), 1, 10, 11, 21, 24. María del Refugio González, "Del señorío del rey a la propiedad originaria de la nación," *Anuario mexicano de historia del derecho* V (1993): 130- 131. David E. Vassberg, *Land and Society in Golden Age Castile* (Cambridge: Cambridge University Press, 1984), 6-10.

<sup>24</sup> González, "Del señorío del rey a la propiedad originaria de la nación," 131, 137.

Valderrama seemed to acknowledge that the Crown was the ultimate proprietor of the land, and that he had granted it in encomienda to doña Leonor Moteuczoma.

He also argued that although the rulers of Santiago Tlatelolco had enjoyed the possession of the estancias during Moteuczoma's rulership, after the Spaniards defeated the Mexica, their rights were no longer valid. As definite evidence of his possession, Valderrama presented two cédulas. According to Valderrama's procurador, in the first cédula Cortés granted Acalhuacan, Cuauhtitlan, and Tocayocan to doña Leonor Moteuczoma as part of the encomienda of Ecatepec. This piece of evidence, however, did not coincide with the testimony of Cortés in the same lawsuit. Perhaps the copy that Valderrama presented was not an authentic copy of the original. The second mandate was the Crown's grant to doña Leonor, but it was too vague in that it did not specify the names of the estancias.<sup>25</sup> Like the former mandate, this cédula did not constitute a solid piece of evidence. Finally, Valderrama argued that the testimony of his witnesses had more authority than that of don Juan's because the former were Christian, gentlemen, noble (*hidalgo*), and above all, impartial. However, the identity of Valderrama's witnesses suggests otherwise.

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<sup>25</sup> In the 1530s, when this second mandate was made, Spain had two legal monarchs: Queen Juana of Spain, daughter of Ferdinand and Isabella, and Juana's son King Charles I of Spain (r. 1516-1556). In practice, the one who reigned was Charles, for Juana had been secluded in Tordesillas because of her unstable mental health. In 1520 Charles was declared Charles V, Holy Roman Emperor, and in 1526, he married his cousin Isabella of Portugal. Since his empire stretched across Europe, he was often absent from Spain. For this reason, after 1529, his wife became Regent of Spain until she died in 1539. Phillip, son of Charles and Isabella, then became regent. Jocelyn Hunt, *Spain, 1474-1598* (London and New York: Routledge, 2001), 49-50. Henry Kamen, *Spain 1469-1714. A society of conflict* (London and New York: Longman, 1996), 62-67. María del Carmen Martínez Martínez and María de los Ángeles Sobaler Seco, *El Imperio Hispánico* (Madrid: Editorial Actas, 2002), 22-32.



Valderrama's witnesses were part of a small and select cohort: the first conquistadors and settlers of New Spain. This group also included doña Leonor's relatives. One of Valderrama and doña Leonor's witnesses was don Pedro Moteuczoma, her brother and the encomendero of Tula; another witness was Juan Cano, the last husband of doña Isabel Moteuczoma, sister of doña Leonor and the encomendera of Tlacopan.<sup>26</sup> Cristóbal de Trebejo, doña Leonor's foreman and friend of Pedro Gallego, doña Isabel's second husband, also testified in favor of Valderrama.<sup>27</sup> However, don Hernán Cortés was probably the most renowned witness. Additionally, seven Spanish encomenderos testified on Valderrama and doña Leonor's behalf.<sup>28</sup> One of the witnesses was a constable from San Juan Tenochtitlan's cabildo and two were interpreters of the Real Audiencia.<sup>29</sup>

The judgment that the Audiencia rendered in favor of doña Leonor and Valderrama suggests again that, like the First Audiencia, the Second was also under the influence of the first encomenderos of New Spain. For this reason, it is not surprising that don Juan appealed to the *Consejo de Indias* (Council of the Indies) that the Audiencia had

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<sup>26</sup> Chipman, *Moctezuma's Children*, 84, 52.

<sup>27</sup> Emma Pérez Rocha and Rafael Tena, *La nobleza indígena del centro de México después de la conquista* (Mexico City: Instituto Nacional de Antropología e Historia, 2000), 303, 35. Chipman, *Moctezuma's Children*, 51.

<sup>28</sup> Pedro Núñez (Maese de Roa), Rodrigo de Castañeda, Tomás de Ríoles (Rijoles), Pedro de Meneses, Álvaro de Zamora, Juan González de León, Francisco Quinto. Robert Himmerich Y Valencia, *The Encomenderos of New Spain 1521-1555* (Austin: University of Texas Press, 1996), 203-204, 138, 221, 194-195, 264, 166.

<sup>29</sup> Pedro Núñez, Tomás de Ríoles, Álvaro de Zamora. AGI, Justicia, Vol. 124, No. 5.

not followed a lawful process. First, he argued that the Audiencia did not summon him to present witnesses or evidence, and second, the members of the Audiencia did not even notify him that they had issued a final judgment. Thus, he appealed the decision. Don Juan presented strong arguments to defend his case before the Consejo. He questioned the legitimacy of Cortés's authority to grant the estancias. Cortés gave the encomienda of Ecatepec to doña Leonor in 1527. A year before, the Crown had taken away his titles of governor and captain general and had sent don Luis Ponce de León as *visitador real* to make a *juicio de residencia* to Cortés.<sup>30</sup> Paredes stated that, as a consequence, in 1527 Cortés no longer had the authority to grant encomiendas.

Santiago's procurador also argued that the estancias had belonged to Santiago Tlatelolco since time immemorial and that within the organization of Tlatelolco they functioned more as barrios than as estancias. The word "estancia" connoted a small community far from its head town, whereas the word "barrio" referred to a continuous subdivision that was next to the head town.<sup>31</sup> Don Juan's witnesses declared that Cuauhtitlan, Acalhuacan, and Tocayuca functioned as barrios of Tlatelolco. First, the Tlatelolca had been their founders and first settlers; second, Tlatelolca commoners had their fields there, and the flow of residents from and to Santiago Tlatelolco was

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<sup>30</sup> *Visitadores* were the officers that the crown appointed to audit the performance of Spanish authorities, whereas *juicio de residencia* was the lawsuit that the *visitadores* initiated against Spanish authorities for wrongdoing. Hernán Cortés power of attorney, 1526, Jay I. Kislak Collection, Manuscript Division, Library of Congress (Kislak MS 193). Gibson, *The Aztecs*, 74, 486. Chipman, *Moctezuma's Children*, 48, 57.

<sup>31</sup> Chipman, *Moctezuma's Children*, 54.

continuous. Finally, they added that after the fall of Tenochtitlan and Tlatelolco the estancias had remained within Santiago Tlatelolco's jurisdiction. Consequently, when Santiago became a Crown possession, the estancias did as well. Santiago's witnesses claimed that if the people of Acalhuacan and the other estancias had initially served Cortés, it was along with Santiago Tlatelolco, and they had only acknowledged Cortés's authority as Mexico City's governor, but not as an encomendero. In May 1536, the Consejo sent the lawsuit back to the Audiencia and ordered them to accept don Juan's appeal.

On February 12, 1537, don Juan presented to the Audiencia a Crown mandate dating to May 31, 1535. It explained that the indigenous nobles from San Juan Tenochtitlan and Santiago Tlatelolco had asked the Crown to return the land that Moteuczoma had given to them before the arrival of the Spaniards. The first reason for this was that their survival depended on having access to farmland in the mainland; the second, that Moteuczoma had given them this land in exchange for military service, and that after the fall of Tenochtitlan and Tlatelolco, the Tlatelolca had assisted the Spaniards in the "conquest" of New Spain and in the construction of the capital, for they were the ones who had and continued to construct buildings, churches, friaries, and public works in Mexico City. To fulfill this obligation, they needed the labor that the inhabitants of Acalhuacan and the other estancias gave them, as well as the construction material that the former provided to the Tlatelolca. The only arguments that doña Leonor and Valderrama could present to defend their suit was that the estancias in question had never belonged to Tlatelolco but to Ecatepec, that their value was insignificant because the land was not fertile nor had many inhabitants, and finally, that the people of Tlatelolco had

lost their rights when they rebelled against Cortés, even though Moteuczoma had given Cortés the city.<sup>32</sup> In October 1537, finding themselves unable to reach a decision, the oidores of the Audiencia sent the lawsuit to Spain once more.

On February 21, 1538, the Consejo revoked the Audiencia's judgment in favor of doña Leonor and Valderrama and issued one in favor of don Juan and Santiago Tlatelolco. In it, the Consejo commanded the viceroy, first, to restitute the land to the indigenous towns and individuals involved; second, to reinstate the tribute and labor that the estancias contributed to Santiago Tlatelolco, especially those related to the capital's public works; and finally, to assign the remainder of the tribute to doña Leonor and Valderrama.

Two factors might have played in favor of Santiago Tlatelolco. One was the desire of the Crown of curbing the power of the first encomenderos, including Cortés. The other was the series of epidemics that afflicted New Spain between 1535 and 1548, and later.<sup>33</sup> The death rate caused by disease and Spanish encomenderos' exploitation of the Nahua forced the crown to reevaluate the role of the indigenous peoples in New Spain. For instance, the Tenochca and the Tlatelolca were essential for the survival of Mexico City. It was they who were constructing the city's buildings and public works as well as providing significant quantities of food. The Crown's need of such labor and provisions, as well as its need to limit the autonomy of the first Spanish settlers, likely

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<sup>32</sup> According to Valderrama's witnesses, the value was only 300 to 500 pesos. And the tribute they got from them each year was only fifty pesos, including tribute and labor. AGI, Justicia, Vol. 124, No. 5.

<sup>33</sup> Ruiz Medrano, *Reshaping New Spain*, 84-85.

motivated the Consejo's support of Santiago Tlatelolco's claim. However, the first page of the lawsuit indicates that the litigation went on until 1540. Unfortunately, the documentation of the case seemingly ended in 1538. Although it is impossible to trace the litigation in its entirety, the other lengthy lawsuits that involved the people of Santiago Tlatelolco had a similar lack of finality, which suggests that the conflicts continued, as can be seen below.

### **LAWSUIT AGAINST THE PEOPLE OF ECATEPEC AND DIEGO ARIAS DE SOTELO**

In 1552 the people of Ecatepec initiated a lawsuit against the people of Santiago Tlatelolco over the possession of Acalhuacan. They accused the Tlatelolca of usurping Acalhuacan in 1537, the approximate date when the Audiencia, following the crown's orders, issued a judgment in favor of Santiago Tlatelolco.<sup>34</sup> Apparently on May 24, 1553, the Audiencia issued another sentence again in favor of Santiago. Perhaps, the reason for this was that several of the witnesses that the two sides presented claimed that before the arrival of the Spaniards, Acalhuacan had provided tribute, services, and warriors to Tlatelolco. Pedro Tequixquinagatl, native of Popotlan, and Baltasar Tucultecat, native of Cuatlayavca, both Ecatepec's witnesses, explained that they had heard from their parents, grandparents, and elders that the first settlers of Acalhuacan had been Tlatelolca. For this reason, the inhabitants of Acalhuacan continued to pay tribute to Tlatelolco. They added that in 1523 the people of Ecatepec asked Cortés to order Acalhuacan to pay tribute to them instead of to Santiago Tlatelolco because Acalhuacan was within their territory. As mentioned before, Cortés had promised restitution of the land to all the

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<sup>34</sup> The information from this lawsuit can be found in AGI, Justicia, Vol. 159, No. 5.

altepetl that the Mexica had conquered before the arrival of the Spaniards. The lawsuits discussed so far in this chapter suggest that Xaltocan and Ecatepec were two of these communities. Upon Cortés's order, the people of Acalhuacan began to pay tribute to Ecatepec until 1538 when they switched and again started to pay tribute to Santiago Tlatelolco. The witnesses did not know why, but it is likely that the reason was that in 1538 the Consejo ordered the return of Acalhuacan to Santiago.

Not surprisingly on July 14, 1553, the encomendero of Ecatepec, Diego Arias de Sotelo, appeared as a third party and opposed the Audiencia's resolution. He was the widower of doña Leonor de Valderrama, legitimate daughter of doña Leonor Moteuczoma and Cristóbal de Valderrama. Arias de Sotelo based his claim in various ways. First, he claimed that Moteuczoma had been "the universal ruler of Mexico City and New Spain" and that Acalhuacan had been part of his personal patrimony, and thus rightful legacy of his legitimate daughter and granddaughter. Second, Arias de Sotelo stated that he had been the legitimate husband of doña Leonor de Valderrama and the father of her four children.<sup>35</sup>

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<sup>35</sup> This last claim recalls Nahua inheritance patterns. In Nahua societies, parents bequeathed land to their children (See further discussion on this topic Chapter III, p. 177). At the same time, Arias de Sotelo's claim also corresponds to Spanish inheritance patterns. According to Marie-Catherine Barbazza, in Castile, the inheritance pattern was based on equity. Both spouses brought property to the marriage. The wife contributed her dowry; the husband, his own property. The property they acquired during their marital life belonged to both. When one of them died, the other recovered his/her initial property and half of the profits, but the rest went to their descendants who were, then the rightful heirs. On the other hand, the nobility used a mechanism that prevented the partition of their land: the *mayorazgo*. This was the legal institution of primogeniture, in which all of the property of the family was inherited by the lawful heir, defined as the eldest son. Furthermore, in New Spain, Spaniards developed several ways of transferring encomiendas. The most common were through marriage and inheritance. Susan Kellogg, "Social Organization in Early Colonial Tenochtitlan-Tlatelolco: An Ethnohistorical

As evidence, Arias de Sotelo presented two original titles to the encomienda. The first was one signed by Cortés and ratified by the scribe Juan de Ávila, whereas Alonso de Estrada, as governor of New Spain, signed the second and the scribe Alonso Lucas endorsed it. The first seems to be the same that Valderrama presented decades before. Like the first, the second title seems problematic, for Estrada had granted encomiendas unlawfully, as suggested in the lawsuit between the people of Xaltocan and the people of Santiago.<sup>36</sup> In fact, as mentioned before, in the case of Acalhuacan, Alonso de Estrada had tried to grant it to don Luis de Guzmán, his son-in-law, but doña Leonor Moteuczoma and Cristóbal de Valderrama litigated against them and recovered their possession. Consequently, it is very unlikely that Estrada had written an encomienda grant to doña Leonor or her husband. Despite the ambiguity of the two titles, in 1555 the Crown confirmed the encomienda that Cortés gave to doña Leonor Moteuczoma of Ecatepec, which included Acalhuacan, Cuauhtitlan, and Tocayuca. It did so on the

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Study” (Ph.D. diss., The University of Rochester, 1979), 95, 25-26. Marie-Catherine Barbazza, “Propiedad campesina y transmisión en Castilla la Nueva en los siglos XVI y XVII,” in *Tierra y familia en la España meridional siglos XIII-XIX: formas de organización doméstica y reproducción social*, ed. Francisco García González (Murcia: Universidad de Murcia, 1998), 87-88. Ruiz Medrano, *Reshaping New Spain*, 86-87.

<sup>36</sup> Other proceedings suggest Alonso de Estrada’s abuse of power in relation to access to encomiendas. Although Cortés had given Tepeaca to Pedro Almíndez Chirinos, in 1526 Alonso de Estrada as acting governor took it for himself. Through litigation, Almíndez recovered his possession. Later, circa 1528, Cortés separated Tlalnepantla from Tlacopan, its cabecera, and gave it to Alonso de Estrada. However, Estrada’s ambition for land was never ending. In 1529 or 1530, the First Audiencia granted him part of the encomienda of Tlapa. Not surprisingly, the Second Audiencia cancelled this grant. On the other hand, Alonso Lucas had been the encomendero of Meztlán, Hidalgo, but Alonso de Mérida under the favor of Viceroy Mendoza had appropriated Lucas’ encomienda. Gerhard, *A Guide to the Historical Geography of New Spain*, 278, 247, 321; Ruiz Medrano, *Reshaping New Spain*, 90.

grounds that Ecatepec had been part of her grandfather Moteuczoma's patrimony.<sup>37</sup> The Crown also confirmed Arias de Sotelo's right to the encomienda of Ecatepec and Taranbaro. The former had belonged to doña Leonor Moteuczoma, his mother-in-law; the latter to Cristóbal de Valderrama, his father-in-law. In 1557, the Real Audiencia confirmed the royal mandate and ordered the people of Acalhuacan to pay tribute and service to Ecatepec instead of Santiago. Following a pattern that would be quite common in Santiago's legal processes, on November 10, 1557, Licenciado Maldonado, the royal *fiscal*, appealed the Audiencia's sentence as a third party.<sup>38</sup> The fiscal was the Audiencia's officer who defended the Crown's interests. His duties also involved oversight protection of indigenous peoples' legal rights. However, his position ranked immediately below that of the oidores.<sup>39</sup>

The Royal Fiscal and the people of Santiago Tlatelolco used some of the arguments they had used decades before in the lawsuit between the people of Santiago Tlatelolco and Valderrama, but they also used new ones. As before, they claimed first that since time immemorial Acalhuacan had been subject to Tlatelolco; and second, that by the time Cortés granted the encomienda, the crown had already taken away his authority to do so. To the argument that Acalhuacan was part of Moteuczoma's

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<sup>37</sup> AGI, Justicia, Vol. 159, No. 5.

<sup>38</sup> In the lawsuit against the people of Xaltocan, already mentioned, and in that against the people of Azcapotzalco, which will be discussed in this chapter, the fiscal also appeared as a third party to defend the people of Santiago in the interest of the crown. AGI, Justicia, Vol. 123. AGN, Tierras, Vol. 1.

<sup>39</sup> María Justina Sarabia Viejo, *Don Luis de Velasco Virrey de Nueva España 1550-1564* (Seville: Escuela de Estudios Hispano-Americanos, 1978), 48.



patrimony as “universal lord,” the people of Santiago replied that he was never the only ruler, nor did he own all of the land. They explained that there were other rulers who had their own lands, such as the governors of Tlatelolco who held the property and the possession of Acalhuacan.<sup>40</sup> The fiscal and the people of Tlatelolco also pointed out that the Audiencia could not issue a final judgment because the lawsuit was pending at the Consejo de Indias. They explained that in 1537, three Tlatelolca principales –Jerónimo Conchado, Diego Atepanecatl, and Aculnaunac—traveled all the way to present the lawsuit to the Consejo.<sup>41</sup> On their way back to New Spain, their ship foundered, and they drowned. According to Vicencio de Riberol, Santiago’s procurador, and Santiago’s witnesses, for this reason the legal process was still unresolved. Despite these arguments, on March 17, 1559, the Audiencia confirmed its judgment in favor of Ecatepec and Arias de Sotelo and gave them the writ of execution. Later that year, a third party opposed the Audiencia’s resolution: the people of Acalhuacan.

The people of Acalhuacan complained that they had not been represented in a legal process that impacted their lives directly. They also brought forth a powerful argument: as subjects of Santiago Tlatelolco, they were under the direct possession of the Crown (*en su real cabeza, realengo*) and did not belong to any encomendero, and they did not want to be vassals to any other than the Spanish Crown. This argument had

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<sup>40</sup> From these assertions it is still difficult to know what type of land Acalhuacan was. However, the fact that it was described as the land of the governors of Tlatelolco seems to indicate that it was not patrimonial but corporate land.

<sup>41</sup> According to the cabildo of Santiago, they departed on a ship that sailed from San Juan de Ulúa piloted by Juanes de Pestico and the maestre Juan Sánchez. AGI, Justicia, Vol. 159, No. 5.

helped the Tlatelolca in their lawsuit against Arias de Sotelo's predecessor, Cristóbal de Valderrama. In this instance, it seems that it was enough to make the Audiencia revoke its writ of execution. However, it was not powerful enough to tilt the balance in favor of Santiago Tlatelolco. Juan de Salazar, Arias de Sotelo's procurador, asked the Audiencia to grant Acalhuacan to Arias de Sotelo and to the people of Ecatepec while the litigation continued. His side promised to pay the *fianza* (secured funds on deposit with the Audiencia) that the fiscal Licenciado Maldonado assigned and to give back the land in case they lost the lawsuit. Salazar also argued that vassals should not have the right to choose their masters, for this would take away any lordship's rights. Thus, the people of Acalhuacan should not have the choice to be the Crown's vassals instead of those of an encomendero. In the summer of 1559, the Audiencia gave Arias de Sotelo the right to collect Acalhuacan's tribute as long as he gave it to the Audiencia as fianzas. In response, Vicencio de Riberol, Santiago's procurador, stated that in the litigation between the people of Santiago and Valderrama over the same piece of land, the Consejo de Indias had already decided that Acalhuacan belonged to Santiago, and that the Audiencia did not have the authority to overrule the Consejo. On March 1560, the Audiencia sent the lawsuit once more to the Consejo de Indias. Unfortunately, the last that we know about this process is that it was received in Toledo on December 22, 1560.

The negative outcome for Santiago Tlatelolco suggests that during the later decades of the sixteenth century, the pressure for land was extreme, even in the northern part of the basin which had less fertile soil than in the south. The lawsuit between the people of Santiago Tlatelolco (the Tlatelolca) and the people of Azcapotzalco (the Tepaneca) seems to correspond to the same pattern.

## LAWSUIT AGAINST AZCAPOTZALCO

In the 1560s, the Tlatelolca and the Tepaneca from Azcapotzalco engaged in a complex and fierce litigation over land and water. The disputed territory lay on the limits between Santiago Tlatelolco and Azcapotzalco, specifically between three estancias: Santa Cruz Quaqualco, San Juan Tilhuacan, subject towns of Santiago, and San Bernabé Aculnahuac, subject town of Azcapotzalco (See Fig. II-2). The proceedings of the suit reveal the land was valuable not because its extent, but for its resources. The people of Santa Cruz, San Juan, and later San Bernabé claimed that the swamp, marshlands, water canals, salt, fishery, spring, and land in the disputed area were the basis for their subsistence. They built houses and cultivated maize on the land. They had a fishery in the swamp. They used the marshlands to harvest *tule* and *carrizos* (swamp plants). They used the swamp's clay to make adobes, and, in addition, they extracted salt. In fact, the lawsuit suggests that the main economic activity of Santa Cruz and San Juan was the sale of adobes in Mexico City.<sup>42</sup>

Despite the importance of the products obtained from the land and the marsh, it is likely that the main resource involved in the lawsuit between Santiago Tlatelolco and Azcapotzalco was water. A spring called Ahuehuetitlan fed the swamp located between Santa Cruz, San Juan, and San Bernabé. The water then drained into a canal that flowed into Mexico City. The canal was so wide that it permitted the navigation of canoes. These took the region's products to Mexico City. It is evident that the location of the disputed territory was strategic. On one hand, it was rich in natural resources; on the other, it was efficiently connected to the capital of New Spain. More important, the lawsuit between

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AGN, Tierras, Vol. 1, Part 1 and Part 2.

Santiago Tlatelolco and Azcapotzalco indicates that the spring of Ahuehuetitlan was an important source of water for Mexico City, and possibly, the most important source of water for Santiago Tlatelolco. In November 1561, Santiago Tlatelolco's witnesses stated that the water of Ahuehuetitlan flowed into a canal that ran to Mexico City and Santiago Tlatelolco to the east, and to the west, to San Bernabé, Azcapotzalco, and Tlamatzingo. According to the proceedings, during the 1560s both Santiago Tlatelolco and Azcapotzalco claimed that the spring of Ahuehuetitlan was within their boundaries. A statement from Azcapotzalco's procurador made in May 1567 suggests that the contested spring provided water to the plazas, streets, and in general, people of Santiago Tlatelolco.

The conflict between Santiago Tlatelolco and Azcapotzalco began sometime prior to 1544. The lawsuit extended from 1560 to 1573, but in the litigation both sides referred to December 4, 1544, as a "starting point." On that date, Oidor Ceynos made a final judgment on a former land dispute between Santiago Tlatelolco and Azcapotzalco. His decision, however, did not put an end to the conflict. Instead, in the final decades of the sixteenth century the dispute became more virulent. The lawsuit indicates that the aggression was mostly by the Tepaneca towards the Tlatelolca. In March 1560, the people of Santiago Tlatelolco accused the people of Azcapotzalco of assaulting and robbing some *maceguals* (commoners) who were taking four cotton mantles and thirty loads of *zacate* (fodder) from Santiago Tlatelolco to Mexico City for the viceroy. Later in that same month, the Tlatelolca pressed criminal charges against Azcapotzalco. They explained that don Baltazar, governor of Azcapotzalco, and three of his *alguaciles* (bailiffs) tried to prevent four Tlatelolca women from making adobes at the marshlands located next to Santa Cruz. The women refused to leave; consequently, don Baltazar and

his alguaciles dragged them out by their hair. Two of these women –Magdalena Xoco and another woman named Magdalena—were pregnant, and they were so badly hurt, that they almost died. At the end of February 1564, the *alcaldes*, *regidores* (councilmen), and *principales* of Santa Cruz and San Juan complained that when their tenants had tried to cultivate the land known as Xoconochiacac, where the renters resided, the calpuleque of Azcapotzalco stopped them. To make things worse, the people of Azcapotzalco stole the two barrios' previous season's maize crop. The people from Santa Cruz and Santiago claimed that the offense was even more evil, for the Tepaneca had left the corn to rot.

A year later, on March 25, 1565, the procurador of Santiago Tlatelolco pressed additional criminal charges against the Tepaneca of Azcapotzalco. Several Tlatelolca noblemen testified that around March 14 the *principales* were in a meeting when a messenger arrived to tell them that the people of Azcapotzalco had gone on to Santiago's land and had planted corn. Martín Vázquez, one of the witnesses, explained that when the noblemen went out to see the land, they found out that corn had just been planted, but not in the usual way. According to him, the rows of corn were very disorderly, as though they had been planted in a hurry to harm the Tlatelolca: “no por la orden que se suelen sembrar sino salteadas que parece averlas sembrado de noche e de priesa por hazer mal e daño a los del Tlatelulco.”<sup>43</sup>

By January 1567, the conflict was more intense. Azcapotzalco's witnesses declared that three natives of Santa Cruz –Sebastián, Agustín, and Miguel--, had plowed the land with oxen. With this accusation, Oidor Orozco ordered their arrest. However,

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<sup>43</sup> “Not in the way that it is usually cultivated, but skipping rows, as though they were cultivating hurriedly at night with the intention of harming the Tlatelolca” (*the translation is mine*). AGN, Tierras, Vol. 1, Part 1, f. 265.

Santiago's witnesses stated that they had seen don Carlos, governor of Azcapotzalco, Pedro Quznauatl, a nobleman, and other Tepaneca plowing the land next to the church of Santa Cruz. As before, Orozco ordered their arrest.

The accusations that the people of Azcapotzalco made against the people of Santiago Tlatelolco were of a very different kind. In March 29, 1561, the people of Azcapotzalco and of San Bernabé Aculnahuac accused the people of Santa Cruz and San Juan of erecting huts for the feast of *Pascua de Espíritu Santo* (Pentecost). A year later, in September 15, 1562, the people of Azcapotzalco pressed criminal charges against the people of Santiago Tlatelolco for building a fence and an edifice. Juan de Salazar, procurador of Santiago, explained that in the month of September, the people of the two barrios had celebrated the feast of the Exaltation of the Cross. They had built a fence and placed a tarpaulin over four poles to protect the governor from the sun and set up a place where they could properly feed him. However, they had taken everything down after the celebration. On May 18, 1568, the people of San Bernabé Aculnahuac accused the people of Santiago Tlatelolco and fray Juan de Mancilla, Guardian of the church of Santiago Tlatelolco, of removing from Azcapotzalco limestone, stone, clay, and *céspedes* (grass) to make a drain. However, the year before, on May 27, 1567, Viceroy don Gastón Peralta Marqués de Falces had decreed that the water of the spring named Ahuehuetitlan should be brought to Santiago Tlatelolco by means of such a drain. Despite Azcapotzalco's request to revoke this order, the Audiencia had confirmed it. In a similar way, on June 30, 1568, the Tepaneca also accused the Tlatelolca of moving soil from Azcapotzalco's land to make a road. The Tlatelolca explained that on August 29, 1565, the inhabitants of Santa Cruz had requested permission to make a path from their houses to the church. The

reason for this was that the church was within Azcapotzalco's territory almost in the boundary between Santiago and Azcapotzalco. The road was supposed to run from the spring to the church of Santa Cruz, so that the inhabitants of this barrio could attend mass, catechism, and go to the market. This path was especially significant in September when the patronal feast of the town took place. While the people of Azcapotzalco were aggressive in their attempt to use the land and resources of the disputed terrain, the efforts of the people of Santa Cruz and San Juan seemed directed to continuing their daily life, especially in regards to their religious traditions.

The arguments and evidence presented by each side were also in conflict. Both the people of Azcapotzalco and the people of Santiago Tlatelolco claimed to have had the possession of the disputed land since time immemorial. However, Azcapotzalco's arguments were inconsistent. In March 1560, the governor, alcaldes, and regidores of Azcapotzalco acknowledged that some Tlatelolca rulers had in fact possessed the lands and marshlands for a period of time. They explained that the reason for this was that a former ruler of Azcapotzalco named Tezozomoc had made his son Quaquapitzahuac ruler of Tlatelolco, and the father had allowed his son's people to use the lands and marshlands.

In November 1561, Azcapotzalco's witnesses declared otherwise. They claimed that the inhabitants of Santa Cruz and San Juan had been within Azcapotzalco's jurisdiction and thus had been Azcapotzalco's tributaries until they complained against the excessive labor they had to provide for the gold and silver mines owned by Azcapotzalco's encomendero, the adelantado don Francisco de Montejo. According to the Tepaneca, based upon their complaints, Oidor Ceynos had removed Santa Cruz and

San Juan from Azcapotzalco's jurisdiction and allocated them to Santiago Tlatelolco. In 1567, the Tepaneca changed their claim. They now stated that they had bought the disputed land from a man named Hernando before 1544.

The inconsistency of Azcapotzalco's statements contrasts sharply with the consistency of those from Santiago Tlatelolco. The Tlatelolca claimed that they had always been a *señorío* (land under the rule of a lord). Initially, they had had well-known rulers. When Moteuczoma had ruled in Tenochtitlan, Tezcatzin had ruled in Tlatelolco, and Temelotzin, don Martín Ecatzin, don Juan Ahuelitoc, don Juan Guayconoc, don Alonso Guaumochul, don Martín Guautzin, don Diego de Mendoza and the current governor don Juan de los Angeles had succeeded him. The cabildo of Santiago Tlatelolco also stated that they had always been the cabecera of many peoples who recognized the Tlatelolca governors as their lords, for instance, the inhabitants of Santa Cruz and San Juan. Finally, they claimed that the Tepaneca, like the other peoples of central Mexico, knew and respected the jurisdiction of Santiago Tlatelolco over its subjects, including Santa Cruz and San Juan.

The surveys ordered by the oidores from the Real Audiencia made in the area seem to confirm Santiago's statements. On September 20, 1564, at Santa Cruz, Oidor Orozco inspected the canal and the church. There he saw two houses; he asked who inhabited them. The reply was that Baltazar Cebriano and Joaquín Cano, natives and tributaries of Santiago Tlatelolco, lived there. Not surprisingly, the cabildo of Azcapotzalco accused the people of Santiago of settling illicitly onto the land to prove that they were the actual possessors. In 1567, Licenciado Céspedes de Cárdenas, the Royal Fiscal, presented several witnesses who declared that when the Crown



commissioned Juan Gallego and don Esteban, a nobleman from Xochimilco, to make a census of Santiago Tlatelolco, they found that the people who lived in Santa Cruz and San Juan were subject to Tlatelolco. As Santiago's tributaries, they paid tribute to the Crown in the form of money and maize. In 1568, Oidor Ceynos stated that in his judgment he had assigned the disputed land to Azcapotzalco. The people of Santiago requested that he survey the land in person. When he did, he found that the land disputed during the 1560s was different from what he had assigned to Azcapotzalco in 1544, and that the land of the current lawsuit belonged to Santiago Tlatelolco.

For the Real Audiencia the key piece of evidence was Azcapotzalco's cartographic painting which supposedly represented the decision that Ceynos made in 1544.<sup>44</sup> Yet, this map was as controversial as the rest of Azcapotzalco's evidence. The Audiencia assumed that Santiago Tlatelolco and Azcapotzalco each had their own copies of the map, and that it had been the product of a consensual agreement. On March 20, 1561, the scribe Andrés Cabrera and the interpreter Juan Gallego summoned each side to bring forth their cartographic paintings. The cabildo of Azcapotzalco presented what they claimed was the depiction of the 1544 judgment, whereas the cabildo of Santiago Tlatelolco stated that they did not have a pictographic map that showed Ceynos' determination. Instead, they presented an older map. The disputes continued. On July 14,

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<sup>44</sup> The precontact tradition of manuscript production, specifically "the flexible combinations of iconic script, numerical notations, and spatial representations" continued during colonial times. Indigenous scribes (*tlacuiloque*) continued recording history and landholding in cartographic paintings. Two examples are the *Plano en papel maguey* and the *Beinecke Map*. Barbara E. Mundy, "Pictography, Writing, and Mapping in the Valley of Mexico and the Beinecke Map," in *Painting a Map of Sixteenth-Century Mexico City. Land, Writing, and Native Rule*, eds. Mary E. Miller and Barbara E. Mundy (New Haven and London: Yale University Press, 2012), 40.

1561, Ceynos asked both sides to reach a settlement, but the people of Santiago Tlatelolco replied that they had never seen Azcapotzalco's map, and thus, could not come to an agreement. The Tlatelolca also declared that the Azcapotzalco map was counterfeit because Ceynos' decision existed only in writing. Since then, the map had gone back and forth between the litigants, and, at times, it seemed to be lost or hidden on purpose. In fact, both sides claimed that they should keep the map because it represented their evidence as well as their title of possession. In 1567, the fiscal presented some witnesses who declared that the Azcapotzalco map was not authentic because the water canal, springs, roads, and the church of Santa Cruz were not depicted in their actual location. Despite the complaints, the Audiencia continued to acknowledge the map's authenticity.

Due to the ambiguous and controversial nature of Azcapotzalco's evidence, from 1561 to 1569 the Real Audiencia consistently supported them. On at least six occasions – October 17, 1561, October 15, 1563, October 19, 1566, May 1567, July 11, 1567, January 31, 1569--, the Audiencia issued rulings in favor of the people of Azcapotzalco. On November 12, 1561, the cabildo of Santiago Tlatelolco appealed the Audiencia's decision to no effect. On November 1563, the inhabitants of Santa Cruz and San Juan appeared as third parties in the lawsuit, also to no effect. A month later, a more powerful third party appeared: Licenciado Cavallón, the royal fiscal. He requested that the Real Audiencia revoke their sentence on the grounds that Santiago Tlatelolco was in the possession of the Crown, and if the Audiencia took away from them the land of Santa Cruz and San Juan, the Tlatelolca would be unable to pay their tribute to the Crown. As a result, the Audiencia agreed to receive the testimony of the people of Santa Cruz and San Juan. However, in 1566 and 1567 the judges of the Audiencia confirmed their judgment

in favor of Azcapotzalco. This decision brought another important figure into the conflict: the viceroy.

Don Gaston Peralta Marqués de Falces, viceroy of New Spain, declared that after hearing about the great need of water that the people of Santiago experienced he had gone to inspect the spring known as Ahuehuetitlan. As mentioned above, on May 27, 1567, he decreed that the water of the spring should be brought to Santiago Tlatelolco by means of a conduit. The people of Azcapotzalco asked the Real Audiencia to revoke the viceroy's order. Unfortunately for the Tlatelolca, the Audiencia's response was contradictory. On July 11 and again on August 1, 1567, it confirmed the viceroy's decree. However, on January 31, 1569, the Audiencia commissioned Gonzalo de Salazar to go to the disputed land and read the writ of execution, which was the judgment in favor of Azcapotzalco.

Gonzalo de Salazar's inspection and execution of the Audiencia's order were as controversial as the rest of the lawsuit. On March 24, 1569, Salazar, the scribe Juan de Orozco, and the interpreter Diego de León went to Santa Cruz. There, don Carlos de Montejó, governor of Azcapotzalco, don Agustín Osorio, governor of Santiago Tlatelolco, and six noblemen from both communities joined Salazar. The judge walked to the canal, held up the 1544 cartographic painting, and asked both parties if the water canal was the boundary indicated in the map between Santiago Tlatelolco and Azcapotzalco. Both sides agreed. Then, he asked the people of Azcapotzalco to measure the boundary. The people of Santiago disagreed with the measurement. Despite the disagreement, all of the parties went to San Juan. When Judge Salazar asked the people of Santiago Tlatelolco which were their lands, the Tlatelolca replied that they had more

land and more houses in San Juan than the three indicated in the painting. To this, Salazar replied that Santiago's cabildo had to adhere to the final judgment. Therefore, the people of Tlatelolco pointed out three houses next to the water canal and the church of San Juan. After the judge measured the land assigned to the first house Juan Mateo, its owner, complained. He said that his forbearers had bequeathed him a much larger tract than the one the judge was assigning him. Gonzalo de Salazar ordered the scribe to record this complaint and proceeded to mark the land's limits with stakes. The judge did not include the church in the land assigned to Santiago. The people of Santiago complained, for they claimed that the inhabitants of these houses attended that church. Nevertheless, the group moved on to San Juan. There, Gonzalo de Salazar asked the people of Santiago Tlatelolco to show him the location of their land so that he could start measuring it. Santiago's cabildo replied that they would not comply because they did not agree with the boundary that Azcapotzalco had already indicated. According to the people of Santiago, the boundary was a road that passed next to the church of Santa Cruz. Salazar did not respond; instead, he asked the people of Azcapotzalco where he should start measuring Santiago's land. The people of Azcapotzalco agreed with the judge's measurement, but the people of Santiago clearly stated they did not approve the measurement or the writ of execution.

Judge Salazar's inspection ended with a ceremony of possession. By petition of the people of Azcapotzalco, he took don Carlos de Montejo by the hand. Holding hands, they walked around Azcapotzalco's land. They pulled weeds from it and moved soil from one part to another. At the end, Azcapotzalco's cabildo asked the judge permission to put crosses in the stakes that marked the boundaries of their land. As before, on March 24,

1569, the people of Santiago Tlatelolco appealed Gonzalo de Salazar's decrees. They claimed that he had taken away from Santiago the barrios of Santa Cruz and San Juan, as well as the marshland and the spring that provided water to Santiago. Cristóbal Pérez, Azcapotzalco's procurador, responded that no one had been deprived of their houses; however, if the residents of the houses recently assigned to Azcapotzalco wanted to keep their homes, they had to pay their tribute to Azcapotzalco. In the meantime, the Audiencia accepted Santiago's appeal and the process continued, as did the conflict.

The outcome of Gonzalo de Salazar's actions regarding Santa Cruz and San Juan suggests, first of all, a conspicuous lack of consensual agreement. If Oidor Ceynos' inspection to the same area in 1544 was similar to that of 1569, it is likely that, despite subsequent claims, a compromise was not part of the final settlement. The consequence was a never-ending conflict. The 1569 lawsuit indicates that the natural resources located in the disputed area—clay, fish, tule, carrizos, and above all, water—were fundamental not only for the indigenous peoples from Santiago Tlatelolco and Azcapotzalco, but also for Spanish individuals, such as don Francisco de Montejo and later his widow (the encomenderos of Azcapotzalco) and Spanish institutions, including those of the Crown. Azcapotzalco's demand for tribute from the people of Santa Cruz and San Juan suggests that for indigenous towns, encomenderos, and the Crown, natural resources extracted by native people constituted form of tribute. The lack of success of the people of Santiago Tlatelolco as well as that of the royal fiscal reveals the loss in power for certain indigenous communities and the role that the Audiencia's support (or lack thereof) had.

## SHIFTING POWER

The lawsuits between the people of Santiago Tlatelolco and Cristóbal de Valderrama (circa 1531-1540), Diego Arias de Sotelo (circa 1552-1560), and the people of Azcapotzalco (circa 1544-1569) demonstrate that sixteenth century competition over land and resources between the Tlatelolca, Tenochca, and Tepaneca continued to be desperate.

The Tepaneca were said to have arrived at the basin of Mexico in the thirteenth century. They settled to the west of the lakes, and they began to expand to the north.<sup>45</sup> The arrival of the Mexica at the basin in the fourteenth century contributed to the increasing power of the Tepaneca, for the Mexica fought at their side as subjects. Together, Tepaneca and Mexica subdued many of the surrounding altepetl, such as Tetzaco. In 1350 the Mexica-Tlatelolca begged Tezozomoc, ruler of Azcapotzalco, to give them a ruler. Finally, Tezozomoc agreed and made his son Quaquaupitzahuac ruler of the Tlatelolca.<sup>46</sup> In the lawsuit between the people of Santiago Tlatelolco and the people of Azcapotzalco, even the governor, alcaldes, and regidores of Azcapotzalco acknowledged that Tezozomoc had given to his son, the first governor of Tlatelolco, the disputed land and marshland located in a place known as Gueymac.<sup>47</sup>

The sixteenth-century lawsuit indicates that the resources in the land that Tezozomoc gave to his son Quaquaupitzahuac and to the people of Tlatelolco were

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<sup>45</sup> According to Durán, the first Tepaneca settlements were Tlacopan, Azcapotzalco, Tlacopanya, Tlalnepantla, and Tenayuca. Gibson, *The Aztecs*, 16.

<sup>46</sup> *Anales de Tlatelolco*, 77-79.

<sup>47</sup> AGN, Tierras, Vol. 1, Part 1, f. 83v. In the *Codex Chimalpahin*, Hueymac is the ruler of Huey Tollan. CC 2: 65.

extremely significant. In addition to land for cultivating maize and maguey, marshlands to fish and collect adobe and swamp plants, there was a fresh-water spring that provided drinking water to Tlatelolco. At the same time, this piece of land served a strategic function: it was the boundary between Azcapotzalco and Tlatelolco. During the litigation, both Tepaneca and Tlatelolca acknowledged this fact. However, each side claimed that the boundary markers (*mojoneras*) were located in different places. According to Santiago Tlatelolco's cabildo, the boundary markers were, first, the acequia that ran from the Ahuehuetitlan spring to Santiago Tlatelolco and Mexico City on the east and to Atzcapotzalco on the west; second, the road to Tlamatzingo that diverted from the main road from San Bernabé Aculnahuac to Azcapotzalco, and that went by a dry tree and past the church of the barrio of Santa Cruz.<sup>48</sup> On the other hand, the cabildo of Azcapotzalco and its witnesses stated that the *mojoneras* were Tlaltepantla, Çoquiactaloco, Tilcoatitlan, Chalchiuhtatacoyan, and Maçatzintamalco.<sup>49</sup> The main difference between the demarcations claimed by the people of Santiago Tlatelolco and the people of Azcapotzalco was that each side claimed that the marshland and the spring were within their territory.

Several factors suggest that from the thirteenth to the fifteenth century the relationship between the Tepaneca and the Tlatelolca was closer than that between the Tepaneca and the Tenochca. For instance, archaeological analysis seems to indicate that

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<sup>48</sup> One of Santiago's witnesses stated that the tree was known as Cuautlicectu. AGN, Tierras, Vol. 1, Part 1, ff. 27r, 83v, 84r, 86v, 87r, 173r; AGN, Tierras, Vol. 1, Part 2, ff. 95r, 105r, 106r, 163r.

<sup>49</sup> AGN, Tierras, Vol. 1, Part 1, ff. 40r, 65v, 69v, 73v, 176r, 176v; AGN, Tierras, Vol. 1, Part 2, f.46r.

the causeways that connected Tlatelolco to the Tepaneca's mainland were built prior to those of the Tenochca (see Chapter I). It is also revealing that in the fifteenth century, Tezozomoc made his son Quaquaupitzahuac ruler of Tlatelolco and granted the Tlatelolca a piece of land with important resources. However, Tezozomoc's death began the demise of the Tepaneca's domination. Tezozomoc died circa 1427. After his death, his son Maxtlaton, ruler of Coyoacan, usurped Azcapotzalco's rulership.<sup>50</sup> To legitimate his position, he fought a series of wars. Maxtlaton brought the wrath of the Mexica upon him after he killed Tlacateotzin, the ruler of Tlatelolco, and Chimalpopoca, the ruler of Tenochtitlan.<sup>51</sup> During the 1420s and early 1430s, the Mexica and the Acolhua (people from Tetzco) defeated the most important Tepaneca settlements. According to the *Anales de Tlatelolco*, the ruler of Tlatelolco Cuauhtlatotzin, Tlacateotzin's eldest son, defeated Azcapotzalco. After the war, the Mexica Tenochca, Acolhua, and Tepaneca constituted the Triple Alliance. The first two restricted the territory of the Tepaneca once more to the west of the basin and established Tlacopan, instead of Azcapotzalco, as the center of the Tepaneca. In this new order, the Mexica Tenochca were the first in power;

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<sup>50</sup> Tezozomoc had designated his son Tayatzin as the legitimate heir of Azcapotzalco's rulership. Torquemada, *Monarquía indiana* 1 (1975), 169.

<sup>51</sup> The information on Tlacateotzin is confusing. First, it was not clear whether he was from Azcapotzalco or from Tetzco. Second, there are also several hypotheses on his death. One is that Maxtla had Tlacateotzin stoned to death in Atzonpan; the other, that Moctezuma Ilhuicamina killed him because of the mistrust between the Tenochca and the Tlatelolca. Still another is that the Acolhua strangled him in Atzompan. Gibson, *The Aztecs*, 16, 17. *Anales de Tlatelolco*, 25, 41, 89. Torquemada, *Monarquía indiana* 1 (1975), 175-181. Don Domingo de San Antón Muñón Chimalpahin Quauhtlehuanitzin, *Codex Chimalpahin: Society and Politics in Mexico Tenochtitlan, Tlatelolco, Texcoco, Culhuacan, and Other Nahua Altepetl in Central Mexico*, 2 vols., eds. and trans. Arthur J. O. Anderson and Susan Schroeder (Norman and London: University of Oklahoma Press, 1997), I: 129 (hereinafter CC).



the Acolhua, the second, and the Tepaneca, the third. The mighty altepetl of Azcapotzalco was finished, and the Tepaneca were now subjects of the Mexica Tenochca.<sup>52</sup>

Although the Tepaneca fought alongside the Tlatelolca and Tenochca against the Spaniards, the lawsuit between the people of Santiago Tlatelolco and the people of Azcapotzalco illustrates that Crown interests or institutions had created a shift in power that enabled the Tepaneca to claim successfully land that had belonged to the Tlatelolca before the arrival of the Spaniards.<sup>53</sup> It is likely that in this case the oidores of the Audiencia and the encomendero of Azcapotzalco, don Francisco de Montejo, played an important part in the outcome of the conflict.

Meanwhile, the Spanish Crown instituted several mechanisms to gain control of the Audiencia. The *visita* (inspection) was one of them. During a visita, the Crown sent a Spanish officer, the *visitador*, who was to examine the conduct of the oidores. During the sixteenth century, Philip II sent visitadores to Mexico City's Audiencia on two occasions. In 1542, he sent Tello de Sandoval; in 1562, Jerónimo de Valderrama. Both initiated charges against several oidores, among them the oidores involved in the lawsuit between the people of Santiago Tlatelolco and the people of Azcapotzalco. The two visitadores pressed different types of charges against the oidores, but they concluded that the

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<sup>52</sup> Some of the Tepaneca settlements defeated by the Mexica Tenochca and the Acolhua were Azcapotzalco, Tenayuca, Tlacopan, Toltitlan, Cuauhtitlan, Xaltocan, Tlacopanya, and Teocalhueyacan. Gibson, *The Aztecs*, 16-21. *Anales de Tlatelolco*, 25, 89. CC 1: 41, 45, 131.

<sup>53</sup> Specifically the people of Tlacopan, Azcapotzalco, and Tenayuca. *Anales de Tlatelolco*, 105-109.

problems that most hindered the Audiencia's administration of justice were the delay in closing lawsuits and the bias of the oidores.<sup>54</sup>

In 1528 and 1530, a set of bylaws (*ordenanzas*) was established with the purpose of ensuring the impartiality of the officers of the Audiencia. First, they forbade the oidores and their offspring from marrying people who lived in the district of their Audiencia. Another ordenanza banned the oidores, *alcaldes del crimen* (criminal judges), and Royal Fiscales from establishing social or business relationships within the district. The oidores were also prohibited from taking part in lawsuits that involved their relatives. Finally, the practice of nepotism was also forbidden. However, the officers of the Audiencia did not follow the ordinances.<sup>55</sup>

The comparison between the development of the lawsuit and the charges that the visitadores pressed against the oidores involved in the legal process demonstrates that partiality had indeed played a significant part in the outcome. The oidores who took part in the lawsuit were, initially, Oidor Ceynos and Oidor Vasco de Puga, and later, Oidores Jerónimo Orozco, Pedro de Villalobos, and Alonso de Zorita. On February 25, 1562, Cristóbal Pérez, procurador of Azcapotzalco, declared that Ceynos and Vasco de Puga had issued the first ruling in the conflict. Two years later, on October 15, 1563, Juan de Salazar, procurador of Santiago Tlatelolco, confirmed this information when he accused Ceynos and Vasco de Puga of ruling in favor of the people of Azcapotzalco without

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<sup>54</sup> The visita was a practice common to control all the institutions that constituted the government of the Spanish Empire. Arregui Zamorano, *La Audiencia de México según los visitadores*, 11, 49-55, 269.

<sup>55</sup> Arregui Zamorano, *La Audiencia de México según los visitadores*, 45-47, 161-162, 187.

following legal procedure.<sup>56</sup> Unfortunately for the people of Tlatelolco, this ruling seems to have played a significant role in the outcome of the lawsuit in the final decades of the sixteenth century.

As stated above, the *visitadores*' most serious accusation against the *oidores* was that they did not execute justice in a timely manner. Several factors led to the inefficiency of the Audiencia. Perhaps one of the most important was the delay in reaching a resolution, which was known as *dilación de causa*. In 1563, Visitador Valderrama accused Vasco de Puga, Zorita, Villalobos, and Orozco, among others, of taking too much time to close their cases. Although some of the causes for postponing a final judgment seem to have been unrelated to the cases, such as time off for holidays, working only part time, etc. Others suggest that the *oidores* deliberately used delay as a means to favor one side over the other. Valderrama specifically accused the *oidores* of not dealing with older cases first.<sup>57</sup> The duration of the lawsuit between the people of Santiago and the people of Azcapotzalco (approximately twenty-five years) and the continuous claims for closure in the one thousand folios that make up the case exemplify very clearly the problem of *dilación de causa*.

Another factor that contributed to the deferral of a final judgment was that the *oidores* failed to undertake the *visitas* to indigenous communities that they were obliged to make. This failure constituted one of the most common charges that the *visitadores*

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<sup>56</sup> AGN, Tierras, Vol. 1, Part 1, f. 134; AGN, Tierras, Vol. 1, Part 1, f. 187.

<sup>57</sup> Arregui Zamorano, *La Audiencia de México según los visitadores*, 111-112, 116, 119.

brought against the oidores.<sup>58</sup> As before, the lawsuit between Santiago and Azcapotzalco exemplifies this practice. To recapitulate, the initial lawsuit began prior to 1544. That year, the Audiencia issued a resolution in favor of Santiago Tlatelolco, but in 1560, the people of Santiago pressed charges against the people of Azcapotzalco for going on to their land and physically attacking the Tlatelolca. On that occasion, the Audiencia seemed to side with Azcapotzalco. Since Santiago Tlatelolco was Crown property, the fiscal of the Audiencia served as a third party. His intent was to defend the Crown's interests. On February 18, 1564, Licenciado Cavallón, fiscal of the Audiencia, asked the Audiencia to send one of its oidores to survey the disputed land and to issue a judgment. On March 2 and on March 7, he repeated his request. On April 11 and on April 18, Santiago's cabildo repeated the same request. On May 12, Licenciado Cavallón declared that he had requested and begged for an oidor to make the survey with no result. On May 31 and on June 7, Juan de Salazar, Santiago's procurador, demanded that the survey take place. The Audiencia finally commissioned Oidor Orozco to make the survey, but on June 16 Juan de Salazar complained that Orozco had not undertaken the inspection of the disputed land. Ultimately, Orozco surveyed the land in September 1564, eight months later.<sup>59</sup>

The charges that the visitadores had brought against the oidores involved in the lawsuit can help determine if the delay was the product of deliberate procrastination. Over the course of the lawsuit, the people of Santiago accused Vasco de Puga and

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<sup>58</sup> Arregui Zamorano, *La Audiencia de México según los visitadores*, 244.

<sup>59</sup> AGN, Tierras, Vol. 1, Part 1, ff. 210, 218, 222, 224, 227, 229, 230, 233, 240.

specially Ceynos of not following the legal protocol and even of not having jurisdiction to issue a final judgment in 1544.<sup>60</sup> Visitador Tello de Sandoval had already accused Ceynos of abuse of power and meddling in affairs that were out of his jurisdiction. According to Ethelia Ruiz Medrano, the relationship between Ceynos and the encomenderos was surprising. Ceynos had favored his friends and relatives in lawsuits before the Audiencia. In this light, the complaint of the Tlatelolca seems to have been legitimate.<sup>61</sup> On the other hand, in 1564 Visitador Valderrama also declared that Ceynos was too old to work at the Audiencia. In his letter to the king, Valderrama declared that he had been in court with Ceynos and that because of his old age, the oidor lacked the judgment to deal with lawsuits and petitions.<sup>62</sup> Ceynos retired three years later on March

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<sup>60</sup> “...de lo hecho en el caso por el dho doctor Ceynos porque aquello había sido sin que los de Tlatelulco fuesen oídos ni se procediese con ellos jurídicamente sin tener comisión para ello...” AGN, Tierras, Vol. 1, Part 2, f. 181.

<sup>61</sup> Ruiz Medrano stated that Ceynos had favored Juan de Samana, his brother-in-law and encomendero of Zinacantepec, Juan de Infante, Miguel Díaz de Aux, Treasurer Alonso de Mérida, and Pedro de Medinilla. Arregui Zamorano, *La Audiencia de México según los visitantes*, 256, 165. Ruiz Medrano, *Reshaping New Spain*, 93.

<sup>62</sup> “El doctor Cahinos [Ceynos] es muy buen hombre cierto y no he oído otra cosa de él ni creo la había, y si no hubiese ante él otros negocios sino de indios, no habría más que pedir en el mundo porque los ama y quiere, y ellos a él, y sería harto negocio que sin escribir palabra él los acabase conforme a lo que se apuntó arriba, pero para negocio de importancia y de estudio está muy viejo y en peligro de echar a perder la justicia a el que le tuviere. Heme hallado con él en estrados, y con ser tan antiguo oidor no atina con cosa en la provisión de peticiones y expedientes, y en los acuerdos casi todos me he hallado y no está en los negocios como conviene, y si acertare en su voto, será acaso. Según Dios y mi conciencia él no está para ser oidor ni Vuestra Majestad descarga la suya con tenerle aquí. Justo será que pues se ha acabado en su servicio se le haga merced con que quede honrado y pueda pasar lo que le queda de vida.” France V. Scholes and Eleanor B. Adams, eds., *Cartas del Licenciado Jerónimo Valderrama y otros documentos sobre su visita al gobierno de Nueva España 1563-1565* (Mexico City: José Porrúa e Hijos, Sucs., 1961), 51. At the same time, there are several indications that there was some sort of relationship between Ceynos and the Tlatelolca. According to Ruiz

23, 1567.<sup>63</sup> A year after his retirement, the people of Santiago demanded that Oidor Ceynos explain the judgment that he had issued in 1544. His reply was erratic. At first, he confirmed the information on Azcapotzalco's map, but the people of Santiago insisted on a land survey. When Ceynos undertook the inspection, he was confused and unable to clarify the judgment that he had made twenty years before.<sup>64</sup> Sometime later, Ceynos died.

Perhaps old age influenced Ceynos' last intervention in the lawsuit, but his previous performance can also be questioned. The *visitadores* had complained to the king that one of the greatest problems of the Audiencia as a judicial institution was its partiality and the resulting lack of justice. In fact, Tello de Sandoval had accused Ceynos of favoring his friends and relatives during lawsuits. The *visitadores* also registered charges of partiality against Vasco de Puga and Villalobos.<sup>65</sup> Since Ceynos and Vasco de Puga had issued the final judgment initially, and Vasco de Puga and Villalobos had ruled

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Medrano, Ceynos examined lawsuits that dealt with indigenous peoples with the assistance of "Indian elders from Mexico City and Tlatelolco." Later on, during a *residencia* conducted on the Second Audiencia, doña Ana Rebolledo Hernández, wife of Pedro Hernández de Navarrete, the *encomendero* of Acayuca, accused don Juan, the governor of Santiago Tlatelolco, of bribing Oidor Ceynos. In his declaration, don Juan appeared very surprised at the accusations, and the case was dropped. Ruiz Medrano, *Reshaping New Spain*, 24, 37.

<sup>63</sup> Arregui Zamorano, *La Audiencia de México según los visitadores*, 256, 165.

<sup>64</sup> AGN, Tierras, Vol. 1, Part 2, f. 147.

<sup>65</sup> Valderrama registered two hundred and two charges against Vasco de Puga and suspended him from his position as oidor for twelve years. Vasco de Puga also received a fine of 1730 ducados plus 975 pesos de minas. Arregui Zamorano, *La Audiencia de México según los visitadores*, 78-80, 130, 131, 161, 162, 269.

secondly, it is likely that they were biased in their decision.<sup>66</sup> The connection between one of the oidores and the encomenderos of Azcapotzalco seems to point in the same direction. Contrary to royal mandate, the oidores did establish family and social relationships with encomenderos. Oidor Alonso de Maldonado, for example, had married doña Catalina de Montejo, daughter of don Francisco de Montejo, encomendero of Azcapotzalco. In 1553, she inherited her father's encomienda.<sup>67</sup> Although Oidor Maldonado did not intervene in the lawsuit between Santiago and Azcapotzalco, he might have influenced or even bribed the oidores involved. After all, he was familiar with the practice of bribing as can be attested in the charge that Tello de Sandoval made against him for continuously receiving gifts and bribes.<sup>68</sup>

## CONCLUSIONS

The relevant lawsuits were, first, those between the people of Santiago Tlatelolco and the encomenderos of Ecatepec (doña Leonor Moteuczoma, Cristóbal de Valderrama, and later, Diego Arias de Sotelo), and second, that between the people of Santiago and the people of Azcapotzalco (and to a lesser degree that between Santiago Tlatelolco and Gil González de Benavides, encomendero of Xaltocan.<sup>69</sup>) The analysis of these legal proceedings leads to several conclusions. To begin, that the land involved in the litigation --Acalhuacan, Cuauhtitlan, Tocayuca, Talpetan, Açenpa, Tacalco, the land between Santa

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<sup>66</sup> AGN, Tierras, Vol. 1, Part 1, ff. 134, 169.

<sup>67</sup> Himmerich Y Valencia, *The Encomenderos of New Spain 1521-1555*, 198. Gerhard, *A Guide to the Historical Geography of New Spain*, 248.

<sup>68</sup> Arregui Zamorano, *La Audiencia de México según los visitantes*, 162.

<sup>69</sup> AGI, Justicia, Vol. 124, No. 5; AGI, Justicia, Vol. 159, No. 5; AGN, Tierras, Vol. 1, Part 1 and 2; AGI, Justicia, Vol. 123.

Cruz Quaqualco, San Juan Tilhuacan, and San Bernabé Aculnahuac, and finally Xaltocan—belonged to Tlatelolco before the arrival of the Spaniards. The lawsuits also indicate that Tlatelolco had acquired this land during the expansion of the Tepaneca and later of the Mexica Tenochca. In fact, it seems that the Tepaneca and the Tenochca rulers granted this land to Tlatelolco as a reward for their military assistance, with a notable exception. Tezozomoc had granted land to Tlatelolco when he made his son Quaquapitzahuac ruler of the Tlatelolca. The litigation also indicates that the disputed land was located closer to other indigenous capitals, even in the midst of other indigenous communities. Perhaps before the rise of the Tepaneca and the Mexica, the land had belonged to other altepetl. The arrival of the Spaniards, and specifically Cortés' promise to return land to the peoples whom the Mexica had subdued, probably motivated them to attempt to regain the land that the Mexica had taken away from them.

The cases discussed also demonstrate that, although the encomenderos usually initiated litigation to increase the size of their encomiendas, indigenous communities included in the original land grants supported their masters. For instance, in the conflict between the people of Santiago Tlatelolco and the encomenderos of Ecatepec, the indigenous cabildo of Ecatepec supported the latter. In the same manner, the cabildo of Xaltocan backed their encomendero, Gil González de Benavides, in the suit with the Tlatelolca. The lawsuits of this chapter suggest that the reason for this support went beyond pressure from the encomendero. For the people of Ecatepec and Xaltocan, a favorable outcome in the conflicts would result in access to additional land, tribute, and labor, which would alleviate the burden of the tribute they provided to the encomendero.

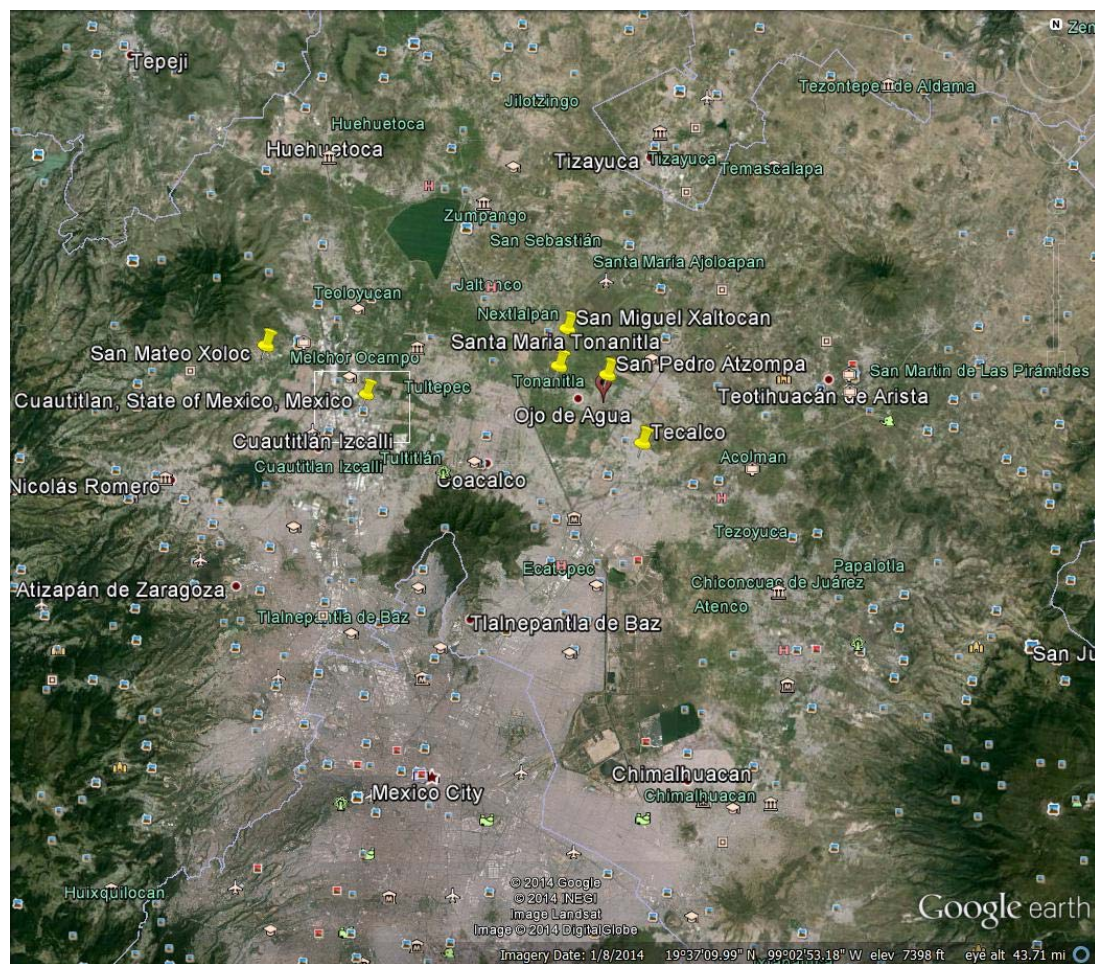


Furthermore, it would bring about a shift in the social and economic standing in which the Mexica had been dominant.

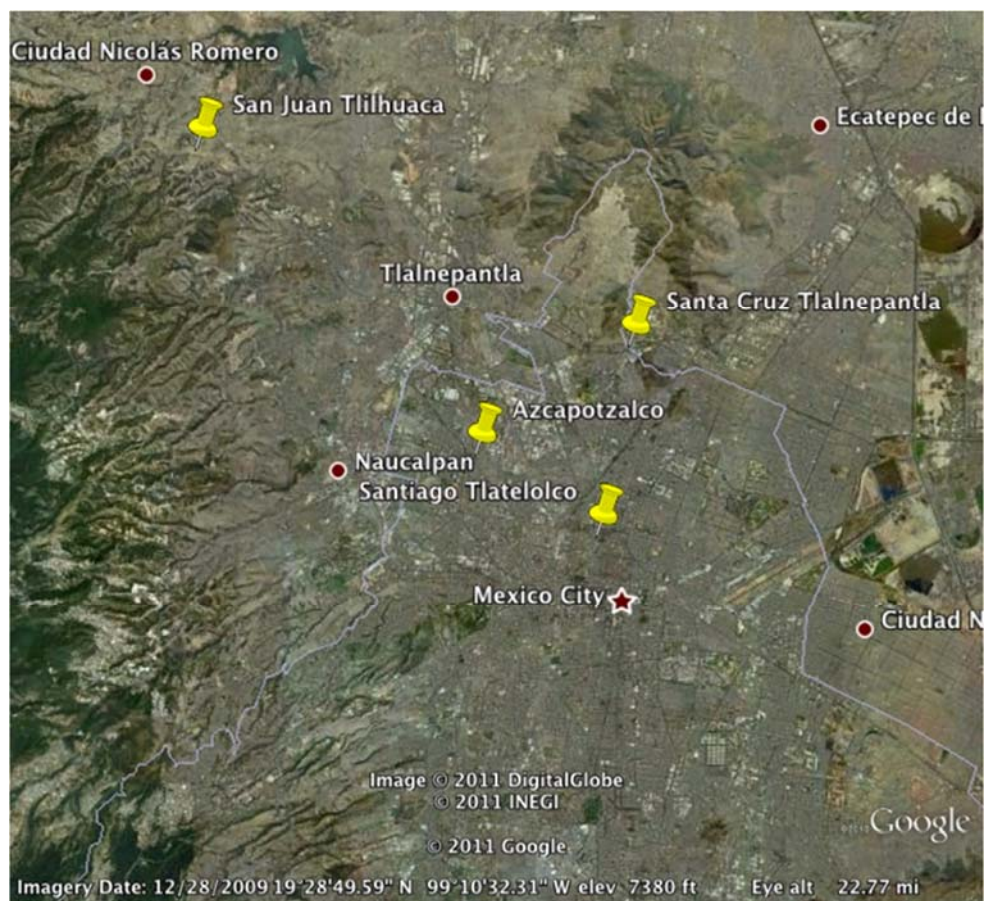
The lawsuit between the people of Azcapotzalco and the people of Santiago Tlatelolco contrasts sharply with the three discussed above. Although the encomendero of Azcapotzalco, don Francisco de Montejo, is mentioned, apparently he did not participate in the litigation. This suggests that the indigenous community of Azcapotzalco pursued the lawsuit themselves. In a similar way, the people of Santiago acted without the support of a Spanish encomendero since Santiago Tlatelolco was not an encomienda, but the property of the Crown. This afforded the Tlatelolca a certain privilege. They probably were much more autonomous than an altepetl that was now an encomienda, but they lacked the support of an encomendero, in other words, of a powerful Spanish individual who had connections with the president and the oidores of the Real Audiencia. Although the Tlatelolca had the support of the fiscales, the Crown, and later of Viceroy don Luis de Velasco I (in the lawsuit against Azcapotzalco), it was not enough to defend their land. The Audiencia's local power trumped the Crown's, and at times that of the viceroy, in the conflicts between Santiago Tlatelolco and the encomenderos.

At the same time, these lawsuits suggest that Santiago Tlatelolco was determined and capable. The cabildo had the financial resources needed to sustain litigation against powerful Spaniards for many decades and even to send its own indigenous representatives to Spain, as in the lawsuit with doña Leonor Moteuczoma and her husband. In addition, the Tlatelolca came to know the legal system very well. At times, they went to court without their procuradores. On several occasions, they were able to use the system of checks and balances in their favor. For instance, in the lawsuit with doña

Leonor Moteuczoma, they challenged Cortés' authority to grant encomiendas, and they also reminded the Crown of the fundamental role that the Tlatelolca played in the construction of Mexico City. The Tlatelolca's resistance depended on continued access to tribute and labor. The cooperation between the indigenous cabildos of San Juan Tenochtitlan and of Santiago Tlatelolco also enhanced the latter's position. Yet, the people of Santiago Tlatelolco were unable to stop the shift of power that the viceroyalty brought about. It seems that by the end of the sixteenth century, the Tepaneca of Azcapotzalco had recovered the land that Tezozomoc had given to Tlatelolco centuries before, while the Spanish encomenderos who married doña Leonor Moteuczoma were able to outmaneuver the indigenous governors of both San Juan Tenochtitlan and Santiago Tlatelolco.



**Figure II-1.** Possible location of Xaltocan, Xoloc, Azonpa, Tecalco, Tonanitla, and Cuauhtitlan. Google Earth.



**Figure II-2.** Possible location of the land disputed between Santiago Tlatelolco and Azcapotzalco. Google maps.

### **CHAPTER III: TLATELOLCA WOMEN AND CONFLICTS OVER LAND**

In the conflicts discussed in Chapter II, Santiago Tlatelolco litigated as an altepetl to defend the corporation's land. At the same time, other lawsuits reveal how individual Tlatelolca fought for the preservation of their houses and lands, and on certain occasions, tried to benefit from the turmoil brought about by the establishment of the viceroyalty.

In Santiago Tlatelolco indigenous and Spanish women were major protagonists in conflicts over land. The data on which this chapter is based consists of forty-four cases associated with women, to the most part Tlatelolca, and their conflicts over land and other types of property such as market stalls and tribute. The cases involve not only nobles and wealthy merchants, but also commoners, widows, and orphans. The first part of the chapter summarizes our knowledge of preconquest and Spanish forms of landholding. The second section deals with Spanish legal procedures. The third part discusses the ways in which disease and violence disrupted traditional patterns of landholding. The fourth examines how Tlatelolca women used the evolving Spanish legal system to defend their property, and, in some cases, attempt to usurp other people's property. The fifth explores the extent to which disputes over land followed traditional indigenous practices, and, finally, the degree to which they parted from these patterns and innovated to take advantage of the opportunities provided under Spanish law.

#### **PRECONQUEST AND SPANISH LANDHOLDING**

There were many similarities between Mesoamerican and Spanish landholding systems. Both included communal and individual property; in both authorities played a

significant role, and in both inheritance was an important mechanism of land transfer. However, the main difference between both systems was the importance of community consensus in Nahua land tenure.

The cases analyzed here indicate that the most common form of land transfer in Santiago Tlatelolco during the sixteenth and early seventeenth centuries was patrimonial; i.e., parents bequeathed land to their children, and in the absence of the latter, to their grandchildren.<sup>1</sup> There has been an ongoing debate on whether indigenous land systems were above all communal; however, scholars believe that in the precontact era, although the altepetl held the ultimate right over land, as long as people cultivated and tended their plots, they could bequeath their land to their descendants.<sup>2</sup> The Tlatelolca cases demonstrate that this was true among both nobles and commoners. However, there was a distinction between the land that belonged to noble ancestors and that which did not. The term *huehuetlalli* (in the possessive) was used to refer to patrimonial land or to land that had been inherited.

According to Ana Rita Valero de García Lascuráin, the origin of pillalli traced to 1428, after the Mexicas, under the leadership of Itzcoatl, defeated Azcapotzalco. Then, Itzcoatl established regulations that ensured the position of the *pipiltin* (nobility). One rule was that only an elite class composed by the descendants of Acamapichtli, renowned

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<sup>1</sup> Among the forty-four cases analyzed, twenty-four refer to inheritance as the manner of land transfer. In these twenty-four cases there are twenty-one instances of parents bequeathing their land and houses to their children; four of grandparents (or greatgrandparents) bequeathing their land to their grandchildren; two of bequeathing between spouses; two of bequeathing between siblings; one, between cousins; one, bequeathing to a nephew; and one, bequeathing to a *cofradía* (religious brotherhood) for lack of descendants.

<sup>2</sup> Lockhart, *The Nahuas*, 142, 146, 147.



warriors, and very wealthy Mexica merchants could own personal land. She also explained that they could only sell land to other elite members but not to commoners. Possession of land, i.e., rights over property, was one way of preserving the status quo.<sup>3</sup>

In her analysis of inheritance patterns, Susan Kellogg concluded that the basic bond of the Nahua kinship system was filial with a tendency to be patrifilial i.e., that the “parent-child bond” was the basic unit of the society. For this reason, children held definitive rights over their parents,’ especially their father’s land. During the Viceroyalty, claiming rights to “a parent’s site” was, then, one of the most effective strategies to retain or recover land in legal suits, even in the cases in which the heir no longer resided in that particular site.<sup>4</sup>

There was however a difference between two types of rights: property and possession. “Property” referred to the actual ownership of the land and the authority to alienate it, whereas “possession” signified having the right to use the land. The contrast between these two concepts is related to the opposition between private and corporate ownership. In Spanish law, the origin of the distinction between property and possession goes back to the Middle Ages. In theory, monarchs enjoyed total dominion, including the right of property, over the land of their kingdom. In Castile, the Reconquest allowed such domain to be more than theoretical. For this reason, in the *Siete Partidas* (codification of

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<sup>3</sup> Ana Rita Valero de García Lascuráin, *Solares y conquistadores. Orígenes de la propiedad en la ciudad de México* (Mexico City: Instituto Nacional de Antropología e Historia, 1991), 90-91.

<sup>4</sup> Kellogg, “Social Organization in Early Colonial Tenochtitlan-Tlatelolco,” 95, 25-26. In a subsequent article, Kellogg declared that “Women left houses primarily to their daughters and granddaughters; men left houses to wives, siblings, and children in a fairly balanced manner.” The cases analyzed here do not suggest such a definite pattern. Susan Kellogg, “Aztec Inheritance in Sixteenth-Century Mexico City: Colonial Patterns, Prehispanic Influences,” *Ethnohistory* 33, no. 3 (Summer, 1986): 318-319.

law under the late thirteenth-century king Alfonso X), the words *señorío* and *propiedad* (property) were equated. According to the *Siete Partidas*, after war the king acquired property rights over the land won from the enemy. During the Reconquest of Castile, the king granted land to reward the lords that fought with him. In this manner, the right of *señorío* was extended to these lords, and the lands of the king were differentiated from those of nobles. On the other hand, subjects or vassals only had the right to use the land or the right to the usufruct. Such right was denoted by the terms, “possession” or “tenure” (*tenencia*).<sup>5</sup>

The origin of land as a military grant from the ruler constitutes a similarity between the Spanish and Mesoamerican systems. In Tlatelolco, nobles and warriors had received land from the Tecpaneca and later from the Mexica as a reward for their military service. As mentioned above, this land was known as *pillalli* and was transferred through inheritance. Another similarity between both traditions was the reallocation of vacant land.

In Spain, the king retained the property of unallocated land. This land was known as crown land or *realengo*. Crown lands that were unused, and thus vacant (*tierras baldías* or *baldíos*), were considered open to use by individuals or communities, which complicated their possession. Municipalities, aristocrats, and commoners alike could claim vacant land through the right of *presura*, “squatter’s right” or “the right of possession through use.” After the Reconquest, the legal system of medieval Spain allowed Spanish colonists to occupy uncultivated land whether public or private. In other

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<sup>5</sup> See pp. 14 and 116. Lacruz Berdejo, *Elementos de derecho civil. III derechos reales*, 1, 10, 11, 21, 24. González, “Del señorío del rey a la propiedad originaria de la nación,” 130- 131. Vassberg, *Land and Society in Golden Age Castile*, 6-10.



words, if a landowner stopped cultivating his land, others could lawfully use it.

Sometimes, the right of possession led to proprietorship; sometimes it did not.<sup>6</sup>

Scholars believe that the reallocation of vacant land was also a precontact Nahua practice. The difference with the European system was that the corporation –either the *altepetl* or the *calpulli*– was in charge of distributing land. Indigenous authorities, with the consent of the *tlaxilacalleque* (members of the *barrio*), could reallocate land that had been left uncultivated.<sup>7</sup> The reallocation of vacant land suggests that in both the European and Nahua system, land was considered communal under certain circumstances. However, in the lawsuits discussed here, colonial officers judged in favor of property over possession rights. Perhaps such prevalence was the result of an increasing tendency towards privatization.

#### *Community Consensus*

According to Lockhart, the main difference between European and Nahua land systems was that community consensus was much more important in the latter, which derived into two significant characteristics of the Mesoamerican landholding system.<sup>8</sup> The first was that the identification of land tenure was based on “common knowledge and community consensus.”<sup>9</sup> The second was that the presence of local rulers and elders was

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<sup>6</sup> Vassberg, *Land and Society in Golden Age Castile*, 10-13.

<sup>7</sup> Lockhart, *The Nahuas*, 148. Harvey, “Aspects of Land Tenure in Ancient Mexico,” 86-87. Susan Cline, “Land Tenure and Land Inheritance in Late Sixteenth-Century Culhuacan,” in *Explorations in Ethnohistory. Indians of Central Mexico in the Sixteenth Century*, eds. H.R. Harvey and Hanns J. Prem (Albuquerque: University of New Mexico, 1983), 286.

<sup>8</sup> Lockhart, *The Nahuas*, 149.

<sup>9</sup> Lockhart, *The Nahuas*, 245.

an essential part of land transfers because they represented the opinion and the public approval of the community.<sup>10</sup> These traits continued during the Viceroyalty, but with adaptations to the new situation.

Reliance on community consensus to identify land boundaries proved to be problematic in colonial litigation documents, especially those in Nahuatl. In land documents, only the name of the pago or *paraje* (the same definition as pago) or another geographic feature was mentioned. This information was insufficient to locate geographically a plot of land; it only served to distinguish this possession from those of other people or groups. This problem only worsened as time went on because the contents of documents written generations ago, were often ambiguous to their descendants.<sup>11</sup> The result was that land documents resulted inadequate in proving who had rights over specific lands.

In precontact ceremonies of possession, local authorities representing the people, acknowledged the owner's possession. These formalities consisted of negotiations that ended with a feast. The introduction of Spanish traditions modified the act of possession. Following Spanish practice, an official would take the new owner by the hand and lead him all over the plot of land, and the new proprietor would carry out "symbolic destructive acts showing his full rights," such as weeding or throwing soil and stones.<sup>12</sup> This ceremony became the final step in taking possession of the land that viceregal authority granted to either Spaniards or Indians. In fact, the ritual was in itself a definitive

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<sup>10</sup> Ibid., 149.

<sup>11</sup> Ibid., 245.

<sup>12</sup> Ibid., 169.

proof of ownership that would function as evidence if another party laid claims to the same piece of land.<sup>13</sup>

## WOMEN AND LANDHOLDING

### *Mesoamerican System*

Women are especially appropriate windows into the complexities of individual land-holding since they occupied the crux of the nexus between the Mesoamerican system (in which women of all social strata could be land-holders), and the Spanish (in which they could not). Thus, women's varied and changing experiences reflect changes in and adaptations to changing colonial conditions.

Unlike the Spanish patriarchal society, the Tlatelolca seem to have been more gender-parallel. For example, Nahua deities had masculine and feminine manifestations, either as male and female supernaturals or as deities with both sets of features.<sup>14</sup> In the political organization, gender parallelism did not mean total equality, but it did play an important role. The Mexica determined the succession of rulers based on dynastic lines that were based on both paternal and maternal descent. For this reason, dynastic marriages were fundamental to legitimize rulership.<sup>15</sup>

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<sup>13</sup> María Teresa Jarquín, *Formación y desarrollo de un pueblo novohispano* (Zinacantepec, Mexico: El Colegio Mexiquense, 1990), 198.

<sup>14</sup> Henry B. Nicholson, "16. Religion in Pre-Hispanic Central Mexico," in *Handbook of Middle American Indians* 10, eds. Gordon F. Ekholm and Ignacio Bernal (Austin: University of Texas Press, 1971), 411. Karen Vieira Powers, *Women in the Crucible of Conquest. The Gendered Genesis of Spanish American Society, 1500-1600* (Albuquerque: University of New Mexico Press, 2005), 24.

<sup>15</sup> Vieira Powers, *Women in the Crucible of Conquest*, 21.

Gender complementarity among the Mexica was perhaps most evident in the equivalence of childbirth and military combat.<sup>16</sup> In other words, the power of fertility was equated to that of war. Perhaps this explains a military episode in which Tlatelolca women played a protagonist role. In the last battle between the Tenochca and the Tlatelolca (1473), Tlatelolca women formed the first line of defense. They exposed their genitalia, threw breast milk, brooms, weaving equipment, and garbage upon the enemy. This was a highly symbolic act that represented feminine power.<sup>17</sup>

In the economic sphere, women played an important role in the markets and as landholders. Bartering in the market was one of the daily tasks of married women. However, in addition to buying, women also operated as vendors. They sold maize, beans, produce, prepared foods, and specialty products (like salt and fish). Although they did not hold the position of *pochteca* (Mexica “long-distance traders”), their active participation in markets allowed them to have economic independence and to accumulate wealth.<sup>18</sup> The cases analyzed here reveal that commerce was, in fact, one of the most important economic activities in which Tlatelolca women participated.

Like men, Mexica women had access to “houses, land, and movable goods.”<sup>19</sup> Unlike Spanish women, Tlatelolca women could inherit patrimonial land from their parents or siblings.<sup>20</sup> Women also received land as dowry. This type of land was known

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<sup>16</sup> Nicholson, “16. Religion in Pre-Hispanic Central Mexico,” 422.

<sup>17</sup> Vieira Powers, *Women in the Crucible of Conquest*, 15, 26.

<sup>18</sup> Ibid., 33.

<sup>19</sup> Ibid., 37.

<sup>20</sup> Kellogg, “Aztec Inheritance in Sixteenth-Century Mexico City: Colonial Patterns, Prehispanic Influences,” 325.

as *cihuatlalli* (“woman land”).<sup>21</sup> It remained separate from their husband’s holdings and it was transferred through the woman’s line.<sup>22</sup> Perhaps the strongest limitation to access to land was that it was transferred from parents to descendants. Spouses were then excluded from inheriting land. In the precontact era, widows were insured care by the levirate, the tradition of the widow to marry her late husband’s brother.<sup>23</sup>

That women were not excluded from pillalli seems very different from Spanish tradition. According to Antoni Furió, in the early middle ages in the kingdom of Valencia, land was distributed evenly among sons and daughters (partible inheritance) because there was an abundance of available land. As the population increased, pressure over land resulted in the emergence of regulations that restricted its allotment. Daughters were the first to be excluded from inheritance patterns. Instead, their parents provided them with a dowry that could consist of land, money, or other items.<sup>24</sup> As time went on,

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<sup>21</sup> Vieira Powers, *Women in the Crucible of Conquest*, 37.

<sup>22</sup> Ibid.

<sup>23</sup> Kellogg, “Aztec Inheritance in Sixteenth-Century Mexico City: Colonial Patterns, Prehispanic Influences,” 321.

<sup>24</sup> Antoni Furió, “Reproducción familiar y reproducción social: familia, herencia y mercado de la tierra en el país valenciano en la baja edad media” in *Tierra y familia en la España meridional, siglos XIII, XIV, XV: formas de organización doméstica y reproducción social*, ed. Francisco García González (Murcia: Universidad de Murcia, 1998), 26, 33. Although Queen Isabel of Castile and doña Juana Ramírez de Arellano de Zúñiga, Cortés’ second wife, seem to be exceptions to the rule, on careful analysis, their case seems to confirm the rule. Isabel’s contender for Castile’s throne was another woman: Juana, daughter of Isabel’s brother Enrique IV. According to popular knowledge Juana was not Enrique’s daughter. For further information on how Isabel navigated through gender and sexuality to legitimate her power, see Elizabeth A. Leffelt, “Ruling Sexuality: The Political Legitimacy of Isabel of Castile.” *Renaissance Quarterly* 53, No. 1 (Spring, 2000): 31-56. On the other hand, doña Juana, Cortés’s wealthy Spanish wife, whose land came from her father’s estate, did not have brothers but only one sister.

land dispersion forced further regulations, such as the establishment of the mayorazgo (impartible inheritance). The exclusion of sisters and younger brothers allowed the family or “lineage” to preserve their estate.<sup>25</sup>

### *Spanish Colonial System*

The lawsuits analyzed here reveal that colonial-period women in Santiago Tlatelolco had broad access to land and resources. The reason might be that many Tlatelolca women continued to be merchants, while others belonged to the powerful lineages that had, to some degree, continued to rule Santiago Tlatelolco. Second, it is likely that men constituted most of the casualties of the battles fought in Tlatelolco in 1521. This likely resulted in a larger number of female landowners than before.

The situation in Santiago Tlatelolco resembles that described by Deborah E. Kanter in Tenango del Valle. According to Kanter, women did not have access to communal land and they had less access than men to patrimonial and purchased land, yet they were able to use their “private” plots to cultivate crops, such as maguey that they made into *pulque* (alcoholic beverage made from maguey’s fermented sap) and could sell the products for their own benefit.<sup>26</sup> On the other hand, Kellogg believes that one of the factors that favored women’s land tenure was motivated either by a demographic

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Fundación Medinaceli. “Juana Ramírez de Arellano y Zúñiga.” Accessed November 27, 2013.  
<http://www.fundacionmedinaceli.org/casaducal/pedigree/pedigree.php?personID=13780>

<sup>25</sup> Miguel Rodríguez Llopis, “Procesos de movilidad social en la nobleza conquense: la tierra de Alarcón en la baja edad media,” in *Tierra y familia en la España meridional siglos XIII-XIX: formas de organización doméstica y reproducción social*, ed. Francisco García González (Murcia: Universidad de Murcia, 1998), 81.

<sup>26</sup> Deborah E. Kanter, “Native Female Land Tenure and Its Decline in Mexico, 1750-1900,” *Ethnohistory* 42, no. 4 (Autumn, 1995): 607-616.

imbalance or the conscious effort to protect women's property rights, women tended to favor their daughters and granddaughters when bequeathing land.<sup>27</sup>

Despite the autonomy that holding land gave women, both Kanter and Kellogg point out that colonial-era Nahua women were particularly vulnerable to attacks on their land. Other members of their communities, including relatives, continually tried to dispossess women especially widows. In the cases where husbands made provisions to care for their wives after their passing, they left them limited rights. Widows generally obtained possession rights over their husbands' houses or lands, but not property rights. The latter were transferred to the man's descendants. In addition, town authorities favored men over women when distributing land. They considered that men had more need for land, when in reality women also had to pay tribute and maintain families.<sup>28</sup> Other factors that weakened the rights of women over land were the propensity of "the eldest male in a sibling group to 'manage' estates," the scarcity of land in the Mexico City area, the growing competition with Spaniards and newly arrived indigenous people, and the migration produced by epidemics and violence.<sup>29</sup>

The cases concerning women are also significant because the litigation records, along with the testaments, the bills of sale, and the testimonies that they contain, reveal rich information about greater Mexico City's society as well as the way various peoples interacted with one another. Finally, but not least, the study of these cases reveals how

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<sup>27</sup> Kellogg, "Aztec Inheritance in Sixteenth-Century Mexico City: Colonial Patterns, Prehispanic Influences," 323.

<sup>28</sup> Deborah E. Kanter, "Native Female Land Tenure and Its Decline in Mexico, 1750-1900," 610-611. Kellogg, "Aztec Inheritance in Sixteenth-Century Mexico City: Colonial Patterns, Prehispanic Influences," 320.

<sup>29</sup> Kellogg, "Aztec Inheritance in Sixteenth-Century Mexico City: Colonial Patterns, Prehispanic Influences," 323.

judicial institutions functioned for individual litigants during the viceroyalty. The institutions involved in land tenure conflicts were the cabildos of Mexico City—both indigenous and Spanish--, the Real Audiencia, and the Juzgado General de Indios. The roles of the last two and the way in which the emergence of the latter responded to the growing needs of the indigenous peoples will be considered as well, whereas the indigenous cabildo is discussed in Chapter IV.

## **SPANISH LEGAL PROCEDURES**

### *Audiencia*

Tlatelolca women learned to use the evolving colonial legal system to obtain protection for themselves and their property. In the sixteenth century, they took their complaints to the Real Audiencia, but by the end of the century and through the seventeenth and eighteenth centuries, they also took their suits to the Juzgado General de Indios, known, too, as the Juzgado General de los Naturales.

The Real Audiencia was created to emulate the Spanish *corte* (council of state) that advised the Spanish monarch. It brought together the judicial and the executive powers by representing royal power at a local level. As a judiciary institution, the Audiencia officially sought to protect the king's subjects. The first Audiencia was established in Santo Domingo in 1511. In New Spain, it was not established until 1527. The president of the Audiencia and the oidores presided over the court. At first there were only four superior judges in New Spain, but as the Audiencia handled more business, it expanded to include more oidores. Other officers were regular judges and prosecutors for



civil and criminal affairs, notaries, interpreters and procuradores.<sup>30</sup> One of the most important functions of the Audiencia was to serve as a court of appeal. The president and the oidores heard cases that lesser judicial officers, such as cabildo officers or the corregidor, sent to them. After 1542, lawsuits that involved assets worth more than ten thousand pesos could be sent to the Consejo de Indias in Spain.<sup>31</sup> Such was the situation with the lawsuits between the people of Santiago Tlatelolco and the encomenderos of Ecatepec, doña Leonor Moteuczoma and Cristóbal de Valderrama, and later their son-in-law Diego Arias de Sotelo.<sup>32</sup> Although the Consejo de Indias sided with Santiago Tlatelolco, the conflict did not end, and the lawsuit between the people of Santiago Tlatelolco and the people of Azcapotzalco, although quite complicated, did not reach to the Consejo.<sup>33</sup> However, like the conflict against the encomenderos of Ecatepec, it was without resolution. The lack of finality in both cases suggests a degree of inefficiency in the Spanish judicial system in regard to indigenous matters.

The cases discussed here did not involve assets as valuable as those considered in Chapter II, for the most part, nor the upper levels of indigenous nobility and Spanish encomenderos; thus, they did not go to the Consejo de Indias. However, they still reflect deficiency in the legal system, even in cases in which the Audiencia judged in favor of

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<sup>30</sup> By the eighteenth century, there were ten oidores. Peter Bakewell, *A History of Latin America. Empires and Sequels 1450-1930*, (Malden and Oxford: Blackwell Publishers, 1997), 113-115. According to Brian P. Owensby, other officers were “a chief bailiff” and “a chief chancellor.” Owensby, *Empire of Law*, 43.

<sup>31</sup> Bakewell, *A History of Latin America*, 116.

<sup>32</sup> See the previous chapter. AGI, Justicia, Vol. 124; AGI, Justicia, Vol. 159, No. 5.

<sup>33</sup> AGN, Tierras, Vol. 1, Part 1 and Part 2.

the apparent “victim.”

### *Viceroy*

In New Spain, the viceroy was the president of the Audiencia. In this capacity, he functioned as the supreme judicial authority on behalf of the Crown. In theory, he was supposed to control the power of the oidores; however, in administrative and political affairs, the Audiencia had more influence.<sup>34</sup> In relation to indigenous affairs, however, the viceroy’s authority was above that of the Audiencia. For instance, natives could appeal to the viceroy against Audiencia’s judgments. The viceroy also oversaw cases that went to the Consejo de Indias.<sup>35</sup> In addition, he had the authority to distribute land and to authorize the sale of land that belonged to the Crown or realengo.<sup>36</sup> It is likely that the power the viceroy held over land made him a popular judicial figure among indigenous women.

### *Juzgado General de Indios*

According to Woodrow Borah, the Audiencia not only provided Spanish subjects the “Christian and civilized” right to appeal, it also constituted a mechanism of check and balance.<sup>37</sup> Appeals allowed the crown to examine the performance of its officers. On the other hand, indigenous people learned that they could use the system to defend their land but also to appropriate others’ possessions. Consequently, lawsuits among indigenous

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<sup>34</sup> José María Ots Capdequí, *Historia del derecho español en América y del derecho indiano* (Madrid: Aguilar, S.A. de Ediciones, 1969), 128, 136.

<sup>35</sup> Miguel Ángel De Marco, Ugarte, et al, *Temas de derecho indiano* (Santa Fe [Argentina]: Ediciones Colmegna, 1970), 62.

<sup>36</sup> Ots Capdequí, *Historia del derecho español*, 135.

<sup>37</sup> Woodrow Borah, *El Juzgado General de Indios en la Nueva España*, (Mexico City: Fondo de Cultura Económica, 1996), 52.

people became endless, complicated, and confusing. This situation led to exploitation because Audiencia officers charged excessively for their services. It also encouraged widespread corruption. Land lawsuits in Santiago Tlatelolco suggest that people who had more resources could follow long-lasting lawsuits and could bribe more officers and witnesses as well. Perjury became pervasive. Many natives, such as some of the Tlatelolca women named discussed in this chapter, must have been unhappy with the system.

As lawsuits multiplied, pressure on the time and resources of both the Audiencia and the indigenous peoples urged a reform. In 1550, prior to the creation of the Juzgado, the Crown ordered the Audiencia to appoint an officer who would represent natives in problems related to slavery, but the position was short-lived. In 1554, upon royal orders the Audiencia assigned its fiscal to defend indigenous people who qualified as miserable or indigent.<sup>38</sup> All of these provisions proved insufficient. By the end of the sixteenth century, it seemed that the most plausible solution would be the creation of a special court for indigenous affairs whose procedures would be simplified and whose officers would provide their services for free. This eventually led to the establishment of the Juzgado General de Indios.

In 1591, in a letter to Viceroy don Luis de Velasco II, the Crown established the legal basis for the Juzgado. The first regulation was that conflicts among indigenous peoples or between natives and Spaniards would go in first instance to the viceroy. After

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<sup>38</sup> According to Borah, the legal foundation of the Juzgado was the practice in European medieval legal systems of the monarch's granting protection to widows, orphans, elders, handicapped, sick, poor, and in general "the miserable people." The origin of this idea probably was biblical, but possible traces to Greek ideology. Woodrow Borah, *El Juzgado General de Indios en la Nueva España*, 23.

the viceroy issued a judgment, if any of the parties wanted to appeal, they could then do so before the Audiencia. The crown also established several positions for officers to assist indigenous people: a legal counselor, a prosecutor, a defender, a soliciter, and a letrado. Perhaps one of the most important determinations was that the viceroy had the power to investigate judges and to name special ones without the authorization of the Audiencia. The purpose was to eliminate corruption and abuse. Viceroy Velasco II received the letter by the end of 1591, and he began to organize the Juzgado right away. First, he appointed a procurador general de indios, who would be both prosecutor and defendant. However, the official establishment of the Juzgado General de Indios took place when the viceroy appointed Doctor Luis de Villanueva Zapata as a legal adviser for the new tribunal. On February 4, 1592, Viceroy Velasco II signed an ordinance to broadcast the royal instructions. The first was that Juzgado officers could not charge for their services except to communities, caciques, and principales, who had to pay fifty percent of the regular fees. The second was that instead of lengthy lawsuits that ended in “final judgments,” legal processes would be brief and end in a decree that the viceroy would issue. The third was a series of rules that sought to eliminate corruption among interpreters. After announcing other regulations, in February 1592 the Juzgado had its first session.

### *Appeals*

The appeals process was a distinctive characteristic of the Spanish legal system.<sup>39</sup> In New Spain, indigenous peoples learned rapidly to use the process to advance their causes, especially regarding land disputes. In fact, the procedure was not unfamiliar to them. The Mexica judicial system was based in the calpolli. Each calpolli had a judge

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<sup>39</sup>

Ruiz Medrano, *Gobierno y sociedad en Nueva España*, 38.

that solved local claims. Over him was a court of twelve judges “who heard cases in the first instance but also considered appeals.”<sup>40</sup> These judges examined and cross-examined witnesses. It is likely that familiarity with established procedures helped indigenous people use the Spanish system. In the first instance, natives could take their case to the altepetl’s governor, Spanish corregidores (synonym of *alcalde mayor*), or the Audiencia. However, as mentioned above, the Audiencia’s main function was to deal with appeals.<sup>41</sup> Indigenous peoples appealed to the Consejo de Indians and the Crown even in cases when the procedure did not legally apply. The abuse of the process was such that in 1712, lawsuits that were sent to the Consejo without first being reviewed in New Spain were subject to nullity and fines.<sup>42</sup>

#### *Legal Representation*

At the Audiencia and at the Juzgado General de Indios, officers known as procuradores functioned as advocates for indigenous petitioners and litigants. They used their knowledge of legal principles and procedures to prepare documents and conduct cases. Usually, they communicated with their clients using interpreters.<sup>43</sup>

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<sup>40</sup> Owensby, *Empire of Law*, 41.

<sup>41</sup> Ibid., 42-43.

<sup>42</sup> Ots Capdequí, *Historia del derecho español*, 163-164.

<sup>43</sup> Owensby, *Empire of Law*, 8-9.

**TABLE III-1. The Cases.**

CASE	NAME	DATE	TYPE OF CLAIM OR AFFAIR	RESOLUTION
1	Constancia Lucia's daughter, doña Ana de Mendoza, and brothers	1552	Testament	They claimed the land that don Baltazar de Mendoza y Austria Calnauacatl Moteuczoma, their father, bequeathed them.
2	Martín Olin, Marín Yaol, Inés, Marina	1557	Information on land possession for a land dispute. Witnesses declared that the four siblings inherited the patrimonial land from their father Coyotzitzilcasin, who in turn had inherited from Nauatlatoasin, who in turn had inherited from the noble Acacihltli Tzompachtli.	Inconclusive.
3	Pablo Uitznauatl and Bernardino Cuzquaquauh	1558	Land dispute. Bernardino claimed the land that his sister Magdalena Tiacapan bequeathed him as guardian of her daughter Marina and that Pablo had appropriated.	Santiago Tlatelolco's cabildo and the Real Audiencia judged in favor of Bernardino.
4	María Teccho and Marina Tlacohch	1558	Land dispute. María Teccho claimed the land that she had inherited from her father Atlixeliuhqui and that the renter Marina Tlacohch had appropriated.	The Real Audiencia and the local alcaldes ruled in favor of María Teccho.
5	Juliana Tiacapan and Pablo Xuarez Hernández	1561	Land dispute. Juliana claimed the land that she had inherited from her grandfather	The Real Audiencia ruled in Juliana's favor.

			Chimaltzin and that Pablo had appropriated.	
6	Ana Papan, Andrea Ramírez, and the Spaniard Gaspar Carrillo	1562	Land dispute. Ana Papan and her daughters sue Andrea Ramírez and the Spaniard Gaspar Carrillo for appropriating their patrimonial land.	The Real Audiencia ruled in favor of Ana Papan.
7	Doña María de don Diego and don Pedro Dionisio	1564	Bill of sale. They accuse Simon and María of squatting in their land.	Santiago Tlatelolco's cabildo confirmed their propriety rights and allowed them to sell the land.
8	María Xoco	1572	Bill of sale. María sold her land to the Spaniard Cecilia Ximénez.	Santiago Tlatelolco's cabildo approved and certified the sale.
9	Juan García	1572	Bill of sale. Juan sold the land that his mother Magdalena Tecuichon bequeathed him to the Spaniards Pedro Díaz and his wife Cecilia Ximénez.	The tlaxilacalleque confirmed Juan's possession. Afterwards, Santiago Tlatelolco's cabildo approved and certified the sale.
10	Buenaventura Téllez	1572	Bill of sale. Buenaventura sold the land that his mother had bequeathed him to the Spaniard Cecilia Ximénez.	The tlaxilacalleque and the cabildo oversaw the transaction.
11	Ana Xocoton and Antón de San Francisco	1573	Land dispute. Ana claimed the land and pond of water that she had inherited from her husband and that Antón had appropriated.	Santiago Tlatelolco's cabildo and the Audiencia ruled in favor of Ana, but Antón appealed. The case had no resolution.
12	Ana María (a minor) and María Mocel	1583	Land dispute. The minor Ana María initiated a lawsuit against María Mocel for appropriating the house that her mother had bequeathed to her.	Santiago Tlatelolco's cabildo and the Audiencia judged in favor of Ana María, but María Mocel appealed to the Corregidor. In turn, he sent the case back to the Audiencia, where

				it stalled.
13	Francisca Verónica	1586 and 1592	Amparo. Francisca requested the Juzgado General de Indios to protect her possession of the stalls she had in the tianguis of San Hipólito and in the plazas of Santiago Tlatelolco and San Juan Tenochtitlan.	In 1586, Viceroy don Álvaro Manrique de Zúñiga granted her an amparo. In 1592, Viceroy don Luis de Velasco II did the same.
14	Gaspar Rodríguez and his wife María Salomé	1587	Permission to sell land. They request permission from Mexico City's Corregidor to sell land to the Spaniard Juan González Carrasco.	Corregidor Pablo de Torres granted his permission. They sold the land to González Carrasco.
15	Magdalena de San Martín	1587	Permission to sell land. She requested permission from Mexico City's Corregidor to sell land to the Spaniard Juan González Carrasco.	Corregidor Pablo de Torres granted his permission. Magdalena wrote a power of attorney in favor of her husband Martín García for him to sell the land. He did.
16	Marta Angelina	1587	Sale of land.	Before the royal scribe and the interpreter, she sold land to the Spaniard Juan González Carrasco.
17	Angelina Verónica and doña María Coatonal	1589	Land dispute. Angelina Verónica claimed that the land that doña María Coatonal, niece of don Diego Mendoza de Austria Moteuczoma, had sold belonged to Angelina Verónica's grandchildren.	After a lengthy and complex lawsuit, don Antonio Valeriano, governor of San Juan Tenochtitlan, judged in favor of doña María Coatonal.
18	María Salomé	1589	Bill of sale. She sold the land she had inherited from her parents to the Spaniard	Santiago Tlatelolco's cabildo and the tlaxilacalleque ratified the sale.



			Pascual Hernández.	
19	Andrés de Hernández, Mariana, Juana Cecilia, Martina Juana, and other cloth merchants	1589	Amparo. They requested protection over their stalls in the market.	Gonzalo Gómez de Cervantes, the alcalde ordinario, went to the market to grant the Viceroy's protection.
20	Don Baltazar de la Cruz, Gaspar Elote, Matías Sacristán, Magdalena Atesca, and Tlancin Pedro (siblings)	1590	Land dispute. They claimed that the Spaniards Francisco Martín and his son-in-law Juan Felipe wanted to usurp their patrimonial land.	Viceroy don Luis de Velasco II granted them his protection and informed Mexico City's corregidor of this.
21	Juana Petronila, Petronila Sicilia, and Mariana	1590	Amparo. They sought the Viceroy's protection over the stalls they had in the market.	Viceroy don Luis de Velasco II granted them his protection.
22	Francisca Verónica	1591	Amparo. She sought the Viceroy's protection over the stalls she had in the market next to Petronila Sicilia's.	Viceroy don Luis de Velasco II granted her his protection.
23	Angelina	1592	Land dispute. She claimed that some people wanted to take away the houses she had in the barrio of Tlilguacan.	Viceroy don Luis de Velasco II granted her his protection.
24	María Antonia	1592	Permission to buy. She requested permission to buy houses from other natives.	Alcalde don Francisco de Tello and later Viceroy don Luis de Velasco II granted her the permission.
25	María Jerónima	1592	Land dispute. She claimed that Antonio Joseph had usurped her land and damaged her property.	Viceroy don Luis de Velasco II judged in her favor twice, but Antonio Joseph did not comply until María Jerónima's husband took him to jail.
26	Juan Hernández	1596	Permission to sell. He	Santiago Tlatelolco's

			requests permission to sell the house that belonged to Maria Salomé.	governor gave his permission. The house is sold to the Spaniard Pascual Hernández.
27	María Barbola, her husband Pedro Hernández, and her brother Juan Pérez	1599	Permission to sell. They request permission to sell their land.	Santiago Tlatelolco's governor, cabildo and tlaxilacalleque approved the sale. The land is sold to the Spaniard Pascual Hernández.
28	Francisca María and her husband Antonio de Santiago	1603	Amparo. They sought the Viceroy's protection over the stalls they had in Mexico City's market.	The Viceroy granted his protection.
29	Juana Chalchihcuihuatl	1604	Testament. Francisco Xochpanecatl bequeathed his houses to his daughter Juana for taking care of him.	
30	Don Melchor Mendoza de Austria Y Moteuczoma	1616	Testament. He bequeathed two rooms to his wife, land to his three sons and one daughter, and land to his granddaughter doña Agustina.	
31	Doña Isabel de Guzmán Galdo (Spaniard) and María Costanza.	1623	Sale. Doña Isabel asked Santiago Tlatelolco's cabildo permission to buy land and houses from fray Rodrigo Alonso and fray Domingo de Arescaga, who in turn had bought them from the indigenous widow María Costanza.	Santiago Tlatelolco's cabildo approved the transaction and gave possession to doña Isabel.
32	Pedro Alonso and María Alonso	1629	Testament translation. Pedro Alonso took his sister María's testament to be translated by one of the Audiencia's interpreters.	María Alonso, a wealthy merchant, had bequeathed valuable property to his brothers Jerónimo and Pedro Alonso.
33	Doña Juana Hilaria	1654	Testament. Doña Juana	

	de los Santos		bequeathed land and houses to her children: don Simón Hilario de los Santos, doña Marcela Antonia Hilaria, and Mónica de la Cruz	
34	Angelina María, encomendera of Sacatlan	1662	Amparo. She claimed that native officials were exploiting her encomienda by using her house as hostel.	Viceroy don Juan de Leyva de la Cerda granted his protection.
35	Agustín García (Spaniard) and doña María Sánchez (Spaniard)	1678	Land dispute. Agustín claimed that doña María was usurping the land that he had inherited. In turn, she claimed to have bought it from the Spaniards who have bought it from an indigenous woman named doña Magdalena de la Cruz in 1608.	Agustín García died. The Real Audiencia was not able to close the case.
36	Francisco Pérez Hernández	1680	Property title. Francisco claimed that his father Juan Pérez Hernández had bought land from the widow Nicolasa Juana.	
37	Luisa Agustina and her grandson Felipe de Santiago	1682	Land dispute. Luisa and her grandson presented to the Juzgado General de Indios a testament from Luisa's mother, Juana Agustina, a wealthy salt merchant, and asked to be given possession of their land. The Viceroy judged in the favor and evicted the inhabitants of the land. These started a lawsuit before the Audiencia.	The Audiencia revoked the Viceroy's decree and judged in favor of the inhabitants of the land.
38	Francisca Mónica,	1685	Amparo. On behalf of	Viceroy don Gaspar

	Nicolasa Francisca, María de los Ángeles, and María Nicolasa (merchants and relatives of Andrés Nicolás, principal of Santiago Tlatelolco)		his wife and daughters, Andrés Nicolás requested the Viceroy's protection over their stalls at the market.	Sandoval granted his protection.
39	Angelina Clara	1691	Permission to sell. She requested permission to Viceroy don Gaspar Sandoval to sell a house she owned in Santiago Tlatelolco.	The Viceroy granted his permission, and she sold the house.
40	Doña Teresa Muñoz de Ahumada (Spaniard)	1692	Sale of land through a mortgage. Francisco Romero (Spaniard) bought from doña Teresa the land that she had gotten as dowry from her grandmother doña Ana de la Paz y Peralta (Spaniard).	Mexico City's cabildo approved the sale.
41	Josefa Flores (Castiza), Cofradía of the Santísimo Sacramento de los Naturales of Santiago Tlatelolco	1699	Permission to sell. The Cofradía requests permission to sell the land they inherited from Josefa Flores, who had no descendants.	Santiago Tlatelolco's cabildo granted permission.
42	Blaza de la Candelaria	1719	She requested license to get a loan and to use her properties as collateral.	The alcaldes ordinarios of Mexico City granted her the permission.
43	Doña Petrona Francisca Pérez Meléndez	1737	Testament. She bequeathed her property to her only son the cacique Pedro de los Santos López de Ribera.	
44	Doña María de Mendoza Austria y Moteuczoma and Gertrudis de la Peña Mendoza Austria y Moteuczoma	1744	Land dispute. Don Nicolás de la Peña on behalf of his wife doña María and later don Francisco Santos de Andrade on behalf of	At first Mexico City's Corregidor ruled in favor of the Mendoza Austria y Moteuczoma family. But the indigenous cabildo of

			his wife doña Gertrudis, doña María's daughter request that the land that belonged to the señorío of don Diego Mendoza de Austria y Moteuczoma be restituted to their wives.	San Juan Tenochtitlan started a lawsuit against them. The possession was revoked. In 1753, don Francisco reinitiated the process before the Audiencia, but this ruled in favor of San Juan Tenochtitlan.
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## DISEASE AND VIOLENCE

Land lawsuits reveal that the battles fought in the initial conquest of Tlatelolco as well as the epidemics that decimated indigenous populations seriously impacted the lives of Tlatelolca women.<sup>44</sup> For instance, children whose parents died because of war or disease were left in a very vulnerable situation.<sup>45</sup> Orphans had to defend their possessions even from close relatives.<sup>46</sup> Widows constituted another category of women who were susceptible to even physical violence over land and houses.<sup>47</sup> In addition, Tlatelolca

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<sup>44</sup> Sherburne F. Cook and Woodrow Borah estimated that the population of central Mexico in 1520 was eleven million; in 1565, it was 4.4 million, and in 1594, it had decreased to 2.5 million. They believed that the greatest decline took place between 1550 and 1570. One of the reasons was the onset of two catastrophic epidemics: one between 1544 and 1546; the other between 1575 and 1579. Disease, however, was not the only factor accountable for the decline in population. Other factors were "social dislocation, increasing demands upon the Indian population for labor, and deterioration in nutrition." Sherburne F. Cook and Woodrow Borah, "The Rate of Population Change in Central Mexico, 1550-1570," *The Hispanic American Historical Review* 37, no. 4 (Nov., 1957): 466, 467.

<sup>45</sup> AGN, Tierras, Vol. 17, Part 2, Exp. 4.

<sup>46</sup> AGN, Tierras, Vol. 48, Exp. 4.

<sup>47</sup> AGN, Tierras, Vol. 35, Exp. 1, AGN, Tierras, Vol. 2729, Exp. 20.

women, both commoners and nobles, fought for land against Spaniards, many of whom had married landowning indigenous women.<sup>48</sup> The following cases are representative.

According to Bernardino Cuzquaquauh, circa 1519-1521, his sister Magdalena Tiacapan, native of the tlaxilacalli of Tlocalpan, bought land in the tlaxilacalli of Tolpetlac from Acxotecatl Nahualatl, an indigenous noble (Fig. III-1).<sup>49</sup> She built her house there, and she lived from the products of the land: magueys to make honey and pulque, maize, and beans. However, Magdalena died in one of the epidemics that ravaged New Spain. She left her land to her siblings Bernardino Cuzquaquauh and Juana Teicuh with the condition that they would raise Magdalena's daughter Marina. Bernardino took his niece home, but he was unable to tend the land that his sister left him, for he and his son also became ill. Seeing the land unattended, Pablo Uitznauatl, who was a principal, started cultivating and profiting from it. Around 1558, after recuperating from his sickness, Bernardino pursued legal action against Pablo to recover the land that his sister had bequeathed to him. First, he went before the indigenous cabildo of Santiago Tlatelolco; second, before the Real Audiencia.<sup>50</sup> Although in 1557, the Audiencia had

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<sup>48</sup> AGN, Tierras, Vol. 20, Part 2, Exp. 1.

<sup>49</sup> AGN, Tierras, Vol. 17, Part 2, Exp. 4. According to Susan Schroeder, the term *tlaxilacalli* is commonly found in colonial documents. Unlike the term "calpulli" which referred to a unit of people, don Domingo de San Antón Muñón Chimalpahin Quauhtlehuanitzin used *tlaxilacalli* to denote "political districts or jurisdictions." The term "tlaxilacalli," then, seems to connote "a territorial organization." Fray Alonso de Molina defined it as "barrio." Schroeder, *Chimalpahin and the Kingdoms of Chalco*, 143-152. On the other hand, Magdalena Tiacapan's Nahuatl second name follows traditional name patterns among colonial Nahua women. *Tiacapan* means "first-born." Women's Nahuatl names on occasion indicated birth order. *Tlaco* meant "middle child;" *xoco*, "youngest;" *teicuh*, "younger sister," and *mocel*, "only." Cline, *Colonial Culhuacan 1580-1600*, 119.

<sup>50</sup> According to Antón Marcos, native of the tlaxilacalli Santa María de la Concepción and one of Bernardino's witnesses, Magdalena's daughter was called

issued a judgment on behalf of Bernardino Cuzquaquauh and legitimized his possession of the land that his sister had bequeathed to him, the lawsuit continued.<sup>51</sup> Pablo appealed the judgment. The oidores could not locate a prior judgment on the same case; further cross-examination took place, and like, many other legal procedures, this did not settle the conflict.

Ana Papan was one of the Tlatelolca women that fought for land against Spaniards. In February 1572, Ana Papan and her daughters, residents of the tlaxilacalli San Martín Atezcapan, initiated a lawsuit against the Spaniard Gaspar Carrillo before the Real Audiencia. They accused him of opening ditches and constructing a building on the land they owned in the barrio of San Martín Zacatlan (Fig. III-2).<sup>52</sup> They stated that when they tried to stop him, he slapped them, stoned them, and screamed “*putas indias viejas*” (old indian whores). Finally he yelled “*que se fuesen con el Diablo*” (Go to the Devil!).<sup>53</sup> The lawsuit reveals that the origin of the conflict went back to the time of the conquest. According to the women’s witnesses, the disputed land and houses had belonged to Chimaltzin, whose job it was to deliver flowers to Moteuczoma. Chimaltzin bequeathed his property to his two sons: Maçapulcatl Chimaltzin and Atlatzin. The former died while accompanying Hernán Cortés on his campaign to Honduras. The latter died of wounds

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Marina. He believed that in 1559, when the lawsuits were taking place, she lived in the *minas del altepeque*. Thus, despite Bernardino’s claims, the documents suggest that by the time of the lawsuit his niece was no longer with him. AGN, Tierras, Vol. 17, Part 2, Exp. 4.

<sup>51</sup> See Fig. III-1. AGN, Tierras, Vol. 17, Part 2, Exp. 4.

<sup>52</sup> Ana Papan’s daughters were Marina Susana, Bárbara María, and Mençia Marta. Their property consisted of three houses and a corresponding *solar* (land assigned to a house). AGN, Tierras, Vol. 20, Part 2, Exp. 1.

<sup>53</sup> The translation is mine. Ibid., ff. 106, 107.

inflicted by the Spaniards. Because of the battles that took place in Tlatelolco between Spaniards, their indigenous allies, and the Mexica, Atlatzin's widow, Ana Papan, and her daughters fled from their house in San Martín Zacatlan, like many other inhabitants of the same tlaxilacalli, and settled in San Martín Atezcapan, where they had relatives. Since they had left the houses and land vacant, the tlaxilacalleque of San Martín Zacatlan had given the land and houses to Martín Coatl, an *indio advenedizo* (immigrant) from Tenochtitlan. According to the Tlatelolca women and their witnesses, the barrio's elders stated clearly that the property rights belonged to Chimaltzin's descendants, and that Coatl and his descendants would have to give the land and houses back. However, several decades later, Chimaltzin and Coatl's grandchildren were involved in a bitter fight over the properties. In October 1573, the Real Audiencia issued a final judgment in favor of Ana Papan and her daughters. The president and oidores of the Audiencia gave Gaspar Carrillo, the Spanish husband of Coatl's granddaughter, Andrea Ramírez, nine days to pay the rent he owed to the Tlatelolca owners of the houses he inhabited.

### **USING THE LEGAL SYSTEM**

The Spanish legal system was difficult to use. Lawsuits were lengthy and often lacked closure. Yet indigenous individuals from every level of society learned to use it, not only to defend their interests, but also to their own advantage. The lawsuit of the minor Ana María against María Musel, Juan Baltasar, and María Tiacapan exemplifies how indigenous people used the loop-holes they (or their procuradores) found in the Spanish judicial system to their advantage, such as endless appeals, intentional delays, perjury of witnesses, and corruption (see Fig. III-3).<sup>54</sup>

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<sup>54</sup>

AGN, Tierras, Vol. 48, Exp. 4.



On October 16, 1582, María Musel and her adult children Juan Baltasar and María Tiacapan went before Pedro Pablo de Torres, Mexico City's corregidor.<sup>55</sup> María Musel explained that her late husband Bernardino Alonso had two siblings: Ana Musel and Luis Epcuatl. She added that Ana Musel had owned land in the tlaxilacalli of Cotolco in Santiago Tlatelolco. When Ana Musel died she bequeathed her land to her two brothers, who died soon after. Bernardino Alonso left his land to his widow and children, whereas Luis Epcuatl left his land and houses to his three daughters: Marta, Magdalena, and Juana Francisca. According to María Musel, the three sisters died childless, and thus, María Musel claimed that her children were the rightful heirs of their aunts' possessions, and she asked the corregidor to grant them possession of their land and houses. However, the subsequent lawsuit suggests that María Musel lied. Juana Francisca, one of the three sisters, had a daughter named Ana María who lived in the house that had belonged to her mother. When the corregidor gave possession to María Musel and her children, he evicted the minor Ana María from her own house. As a minor, Ana María sought the protection of the Real Audiencia. The Audiencia assigned her a *curador* (officer in charge of a minor's affairs). In December 1582, the Corregidor changed his decision and judged in favor of Ana María (see Fig. III-3).

Although Ana María was able to prove that her mother had written a will in her favor, that same month María Musel appealed to the Audiencia. A lengthy lawsuit followed. The latter claimed that Ana María had no rights over her mother's property

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<sup>55</sup> AGN, Tierras, Vol. 48, Exp. 4. Musel probably stands for the Nahuatl term, and common name for women, *mocel* which meant only. The term derives from the prefix "mo-," "your, 2<sup>nd</sup> person sing. Possessive prefix" and "-cēl," "someone or something alone, by oneself or itself, only, unique." Lockhart, *Nahuatl as Written*, 213, 225.

because she was the issue of an illegitimate and incestuous relationship.<sup>56</sup> According to María Musel, after the death of her husband, Juana Francisca had started living with her late husband's brother, and they had conceived Ana María. On three occasions—May 15, 1583, June 4, 1583, and July 16, 1583—the Audiencia ruled in favor of Ana María because she was able to prove that her father had not been related to Juana Francisca's first husband and that the witnesses presented by the other side had committed perjury.

Yet again, once Ana María took possession of her houses, María Musel pressed charges against her and claimed that the lawsuit was still pending. This was clearly not so, for the Audiencia had already issued a final decision. Nonetheless, the judges of the Audiencia allowed the lawsuit to continue despite the claims of Ana María's curador that the value of the assets was too low to continue the lawsuit legally. According to Spanish law, judgments could only be appealed if the assets involved were of high value.<sup>57</sup> It is quite unlikely that the houses and land that Ana María was fighting for were valuable enough to justify four appeals. At this point, María Musel, Juan Baltasar, and María Tiacapan began to delay the lawsuit as much as they could. Finally, in October 1583, Ana María's curador accused the Audiencia's Relator Vides of corruption because the lawsuit had reached a final judgment on three different occasions, and Vides had failed to communicate the outcome to the judges, and he had also failed to treat the conflict as a *pleito ordinario* (ordinary lawsuit). The accusation was probably justified. *Relatores* were “fee-earning officers” who prepared the summaries (*relaciones*) and evidence of each

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<sup>56</sup> In Jewish law, the levirate is the obligation that a widow has to marry the brother of her deceased husband. As mentioned above, Mesoamerican people followed the same tradition to insure care of widows.

<sup>57</sup> Borah, *El Juzgado General de Indios en la Nueva España*, 66.

side for the judges to read before the hearings (*audiencias*). Their partiality could determine the outcome of the lawsuit, as the case above suggests.<sup>58</sup>

By the end of the sixteenth century, Tlatelolca women had begun accusing Spaniards of another type of assault on property: attempting to take away their vending stalls in the markets of Tlatelolco and Mexico City in order to install their own shops.<sup>59</sup> Consequently, affected women went before the viceroy and the Juzgado General de Indios to seek protection. In 1586, Francisca Verónica asked Viceroy don Álvaro Manrique de Zúñiga's protection over the stalls she had in the plaza of Santiago Tlatelolco, in the plaza of San Juan, and in the *tianguis* (market) of San Hipólito. In 1591 and in 1592, she asked Viceroy don Luis de Velasco II to confirm the amparo.<sup>60</sup> In 1589, on his superior's orders, the *alcalde ordinario* (cabildo magistrate) Gonzalo Gómez de Cervantes inspected the stalls of several native cloth merchants (mostly women) located in the tianguis of Santiago Tlatelolco and San Juan to ensure that nobody took the stands away from them.<sup>61</sup> In 1591, Joana Petronila, Petronila Sicilia, and Mariana, natives of Santiago, who sold produce such as *chile* (chili pepper), *tomate* (tomato), fruit, corn, and cacao in the public plaza, sought the protection of the viceroy. They claimed that some Spaniards wanted to take away their stalls, and they needed to sell their products in order

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<sup>58</sup> AGN, Tierras, Vol. 48, Exp. 4, f. 189. J.H. Parry, *The Audiencia of New Galicia in the Sixteenth Century. A Study in Spanish Colonial Government*, (Cambridge: Cambridge University Press, 1948), 154.

<sup>59</sup> The cases analyzed here reveal that Tlatelolca women not only sold in the market at Tlatelolco, but had expanded their activity to other markets in Mexico City.

<sup>60</sup> AGN, Indios, Vol. 6, Part 2, Exp. 478; AGN, Indios, Vol. 3, Exp. 952.

<sup>61</sup> The names of some of the natives who sought protection were Andrés de Hernández, Mariana, Juana, Cecilia, Martina Juana. AGN, Indios, Vol. 4, Exp. 52.

to pay their tribute.<sup>62</sup> In 1640, the Tlatelolca Antonio de Santiago and his wife Francisca María requested Viceroy don Lope Diez de Armendáriz, Marqués de Cadereyta (r. 1635-1640), to confirm the protection that the Marqués de Cerralvo had already granted to the Tlatelolca vendors. Antonio and Francisca had a stall in Mexico City's market where they sold *jubones de holandilla* (linen doublets) and *mantas de la tierra* (cotton mantles). They lived from their sales and paid their tribute from them, but some Spaniards wanted to take their stall away. The viceroy sent an alguacil to protect them.<sup>63</sup> In 1685, Francisca Mónica, wife of a principal of Santiago Tlatelolco requested the protection of Viceroy don Tomás Antonio de la Cerda y Enríquez, Conde de Paredes and Marqués de la Laguna. She explained that along with her daughters and daughter-in-law, she had a stall in Mexico City's Plaza Mayor where they sold vegetables and other produce. Like other vendors, Francisca Mónica added that from the income they got they sustained themselves and paid their tribute, but that some people were trying to take away their stall. The viceroy granted them his protection.<sup>64</sup>

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<sup>62</sup> AGN, Indios, Vol. 3, Exp. 611.

<sup>63</sup> AGN, Indios, Vol. 12, Exp. 119. According to José Ignacio Rubio Mañé, don Rodrigo Pacheco Osorio, Marqués de Cerralbo served as viceroy from November 3, 1624 to September 16, 1635. Don Lope Diez de Aux de Armendáriz, Marqués de Cadereyta, followed him from September 16, 1635 to August 28, 1640. José Ignacio Rubio Mañé, *El Virreinato I. Orígenes y jurisdicciones, y dinámica social de los virreyes* (Mexico City: Instituto de Investigaciones Históricas, Universidad Nacional Autónoma de México, Fondo de Cultura Económica, 2005), 143, 274, 294-295.

<sup>64</sup> AGN, Indios, Vol. 29, Exp. 81. Interestingly, Viceroy don Tomás Antonio de la Cerda y Enríquez was both a count and a marquis. Rubio Mañé, *El Virreinato I*, 88, 155.

## TRADITION AND INNOVATION

The lawsuit between Angelina Verónica, tutor to the heirs of Angelina Martina, a wealthy female merchant, and doña María Coatonal, niece of don Diego Mendoza de Austria Moteuczoma, a renowned governor of Santiago Tlatelolco, illustrates significant aspects of continuity and innovation of the Nahuatl landholding system in Santiago Tlatelolco.<sup>65</sup> In April 1584, Angelina Verónica initiated a lawsuit against doña María for appropriating land located in the pago known as Aztacolcatlali. According to Angelina Verónica, doña María Coatonal had illegally sold a piece of the land that Angelina Martina had bequeathed to Angelina Verónica's grandchildren to the Dominicans who lived in Azcapotzalco. Angelina Verónica requested the return of the land. As evidence, Angelina Verónica presented Angelina Martina's testament, the bill of sale by which the latter acquired possession, and indigenous witnesses (see Fig. III-4).

In her testament, Angelina Martina categorized her land into two types: patrimonial and purchased land. She used the term *huehuetlalli* (in the possessive) to refer to the former. Until her death (sometime in the 1580s), Angelina Martina was able to keep the land that she had inherited from her precontact ancestors. However, the greatest bulk of Angelina Martina's land was purchased. The land she bequeathed to Angelina Verónica's grandchildren fell into this latter category. In 1551, Angelina Martina had bought the land in question from the cacique don Baltasar Tlilancalqui. He identified this land as *pillalli* and specified that he had gotten it from his great- and grandparents.

On the other hand, doña María Coatonal claimed to have inherited the land from her father don Francisco Yquinopilci, who had inherited it from his father

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<sup>65</sup>

AGN, Tierras, Vol. 49, Exp. 5.

Tzihuacpopocatzin. The latter was a Tlatelolca noble who had participated in the wars that the Mexica fought against the people of Quauhtitlan under the leadership of Moteuczoma. As a reward, Moteuczoma granted land to Tzihuacpopocatzin, who in turn bequeathed the land to his descendants (one of whom was don Diego Mendoza de Austria Moteuczoma).<sup>66</sup> These were the property rights that doña María claimed to possess. Both Angelina Verónica and doña María Coatonal, then, fought over land whose ultimate origin was patrimonial. To be more specific, the land they were fighting for had been personal land that had belonged to precontact ruling lineages. Nevertheless, in Angelina Verónica's case, a commoner had bought this land, whereas doña María Coatonal had inherited it.

At first, the case went to don Juan de Austria, governor of Santiago. On September 7, 1584, Gaspar Lorenzo, witness presented by Angelina Verónica's party, declared that he had been a *terrazguero* (landless worker) of Angelina Martina, and that his father-in-law had been a *terrazguero* of don Baltasar Tlilancalqui who had sold the land to Angelina Martina. He also declared that Angelina Martina had bequeathed this land to Bonifacio Maximiliano and Bernardina Francisca, her great-grandchildren. Finally, he added that the land that belonged to doña María Coatonal was located in another place, in the pago known as Techichiquilco Ysocoloi. Then, don Juan corroborated Angelina Verónica's and Gaspar Lorenzo's statement with that of other members of Santiago Tlatelolco, including elders and cabildo officers. They all agreed that the land had belonged to don Baltasar Tlilancalqui who had sold it to Angelina Martina thirty years ago. They added that she had always cultivated this land, that she

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<sup>66</sup> *History and Mythology of the Aztecs. The Codex Chimalpopoca*, trans. John Bierhorst (Tucson and London: The University of Arizona Press, 1992), 122-123.

had bequeathed it to her great grandchildren, and that Gaspar Lorenzo continued cultivating this land as their terrazguero. Finally, they declared that doña María Coatonal and her husband had never possessed such land.<sup>67</sup>

In view of this evidence, don Juan de Austria, governor of Santiago Tlatelolco, visited the disputed land with doña María Coatonal and her husband. Don Juan asked the neighbors who owned the land that Gaspar Lorenzo had cultivated. All of them replied that it belonged to Angelina Martina's heirs, and that the land had never been idle. Afterwards don Juan asked doña María and her husband to identify the land they claimed was theirs, but they could not answer satisfactorily. When Santiago's governor asked them what mojoneiras were established when they got possession of their land from a previous lawsuit, they replied that none were set. As a result, on October 20, 1584, don Juan de Austria, governor of Santiago Tlatelolco, issued a ruling in favor of Angelina Verónica's grandchildren and nullified doña María Coatonal's sale of land to the Dominicans. However, at the beginning of 1585, doña María Coatonal appealed to the Real Audiencia against don Juan de Austrias' resolution.

The Audiencia sent the case back to Santiago Tlatelolco's governor. This time, don Juan de Austria decided to undertake the measurement of each party's land according to their documents of possession (Angelina Martina's will on one hand, the ruling of a former litigation case on the other). The lack of proper land surveys in colonial records must have made the process of measurement difficult. It is likely that don Juan's decision was once more based on popular knowledge, and it again favored Angelina Verónica's grandchildren. For this reason, doña María appealed once again to the Real Audiencia.

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<sup>67</sup>

AGN, Tierras, Vol. 49, Exp. 5, f. 3v.

On this occasion, the Real Audiencia did not send the case back to Santiago Tlatelolco's governor, but to don Antonio Valeriano, governor of Mexico City's indigenous cabildo.

In 1585, don Antonio Valeriano ruled in favor of doña María Coatonal. He based his decision on several pieces of evidence. The first was a previous judgment (dated 1572) of the Real Audiencia in favor of doña María Coatonal and her sister doña María Atotoztli. The two had succeeded in a lawsuit against other nephews and nieces of don Diego Mendoza de Austria Moteuczoma who, according to them, had usurped the land that the two had inherited from their father. The second was the testimony of doña María's witnesses. Three of her four witnesses declared that they knew that she was the rightful owner of the land because they had witnessed the act by which she had taken possession of it. The ritual had taken place on April 1574, after doña María Coatonal and her sister doña María Atotoztli had won the aforementioned lawsuit. Then, she had taken possession of the land accompanied by officials from the Real Audiencia, San Juan Tenochtitlan's and Santiago Tlatelolco's cabildos, and other indigenous people. During the ceremony, doña María Coatonal weeded her land, and she moved soil and stones from one part to another.

Don Antonio Valeriano also took into account a manuscript painting that doña María Coatonal presented to him. This was supposedly an ancient painting that purportedly demonstrated her family's long possession of the land. Throughout the years of litigation there had been no reference to such map. It is quite suspicious that a piece of evidence that would have been fundamental was not presented until this moment, and it might well have been counterfeit. Both don Juan de Austria's and don Antonio Valeriano's judgments were based on common consensus. The former went to the



disputed land and asked the community members who owned it, whereas the latter accepted the testimony of a ritual of possession which, as the crystallization of common consent, served as a legitimate proof of ownership.

Another example of continuity was the presence of Santiago Tlatelolco's officials in issues, such as lawsuits and ceremonies of possession, related to land tenure. As members of the cabildo, they represented their communities. The evidence presented by the two parties, however, illustrates that common consensus in the precontact landholding system led to conflicts in the colonial era. The reason for this was the lack of proper land surveys in title documents and in the actual identification of land by the supposed owners. Angelina Verónica provided three different geographic references for the location of Angelina Martina's land: Tolpan Techichiquilco, Santa María Magdalena Coatlayauhcan, and Aztacalcotlali. On the other hand, doña María Coatonal and her husband were unable to physically identify their land when Santiago Tlatelolco's governor requested them to do so. Their confusion is not surprising. In fact, such situation was very common among indigenous wealthy indigenous landowners who had plots in multiple locations. Since they did not personally cultivate their own fields, they did not know their precise boundaries.<sup>68</sup>

Despite the continuities illustrated here, the fact that the Real Audiencia took away don Juan's jurisdiction over the case and passed it on to don Antonio Valeriano, governor of San Juan Tenochtitlan's indigenous cabildo is surprising. It implies that the president and oidores wanted to favor doña María Coatonal. By using the Spanish legal system and their connections to powerful indigenous and Spanish authorities, doña María

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<sup>68</sup> Cline, "Land Tenure and Land Inheritance in Late Sixteenth-Century Culhuacan," 282.

Coatonal preserved one of the prerogatives of Mesoamerican elites: individual possession of land. Angelina Martina was not noble, but her will suggests that she was an extremely wealthy pochteca, and thus, a member of the Mexica elite. Perhaps this was one of the reasons no one contested her rights over the land she bought from don Baltasar Tlilancalqui. However, it seems that the situation of her great grandchildren and of their grandmother Angelina Verónica, their guardian, was different. Angelina Verónica was the widow of an indigenous tailor, resident of the barrio of San Martín Hueytlalpan. All her witnesses were indigenous inhabitants of Santiago Tlatelolco, and all of them had humble jobs (farmers and salt makers.) Furthermore, Gaspar Lorenzo, her main witness, was in jail when his testimony was requested. On the other hand, doña María Coatonal's witnesses seemed to belong to a higher social class. Her main witness was Juan Méndez Sotomayor, a Spanish official of the Real Audiencia. Only one of her indigenous witnesses was from Santiago Tlatelolco, and he was an official. Her other two witnesses were also indigenous, but from Mexico City, and one of them was a landowner.<sup>69</sup>

The lawsuit between Angelina Verónica and doña María Coatonal highlights two dichotomies: one between patrimonial versus purchased land and the other between commoners and nobles. At first glance, the success of doña María's claim suggests that the right to patrimonial precontact land was stronger than that of purchased land. Nonetheless, the break with tradition can be found in the fact that doña María had already

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<sup>69</sup> One of them was from Santa María la Redonda; the other, from Santa María Magdalena, which might refer to Santa María Magdalena Mixiuhca in Mexico City or to Santa María Magdalena Coatlayauhcan Atenco. AGN, Tierras, Vol. 49, Exp. 5, ff. 56v, 57v.

sold her “patrimonial” land to Spaniards. She did not fight over this land in order to bequeath it to her children and grandchildren, but to sell it.

## CONCLUSIONS

It is apparent that Tlatelolca women suffered attacks on their person, possessions, and *modus vivendi*. During the first half of the sixteenth century, one of their greatest afflictions must have been war casualties, for the battles that took place there were devastating. Among the various lawsuits, the one between Ana Papan and her daughters against Gaspar Carrillo makes reference to how Tlatelolca men died in the battles against the Spaniards and their allies and how Tlatelolca women had to cope with the violence.<sup>70</sup> Later cases indicate that after the conquest, young men and women continued to die in great numbers leaving behind spouses, children, and even parents. In some cases the reason was epidemic disease; one example is the death of Bernardino Cuzquaquauh’s sister.<sup>71</sup> Both violence and disease left women in a vulnerable position, especially those without relatives. Nevertheless, Tlatelolca women were often able to seek and obtain protection from Spanish courts.

The war fought in Tlatelolco left the altepetl’s indigenous people in a dire situation. Many Tlatelolca men and women died. Women property owners who were left on their own were vulnerable to aggressive actions from other indigenous people who wanted to appropriate their houses and land. Even relatives of such women tried to benefit from the instability and chaos that followed the fall of Tenochtitlan and Tlatelolco. Although women with close relatives could defend their land more

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<sup>70</sup> See pp. 180-181, and Fig. III-2. AGN, Tierras, Vol. 20, Part 2, Exp. 1.

<sup>71</sup> See Fig. III-1. AGN, Tierras, Vol. 17, Part 2, Exp. 4.

effectively, even orphans and widows learned to use the colonial legal system to defend their land. They benefitted from the special protection that the Spanish legal system provided to poor people that qualified as miserable.

During most of the sixteenth century, indigenous women took their conflicts to the Real Audiencia. By the end of the sixteenth century, many began to seek the viceroy's protection through the Juzgado General de Indios. Plaintiffs and defendants learned how to use the legal system and its loopholes to their advantage. The lawsuits reveal that even though Spanish solicitors and lawyers assisted indigenous peoples, the latter did not remain passive in the process but actively used the system, and they changed officials when they had to. Natives also used the legal distinction between property and possession to claim land that in the precontact era would have belonged to nobles.

The cases analyzed here also indicate that in the early sixteenth century, land tenure patterns among native inhabitants of Santiago Tlatelolco followed precontact traditions. As in the prehispanic era, the lawsuits demonstrate that the most common pattern of land transfer was by means of inheritance of patrimonial land. Parents bequeathed to their children the land that they had received from their own parents. Sale was another form of transfer that seems to have roots in the precontact era. According to Lockhart, the earliest colonial record of a transaction of this kind was from Santiago Tlatelolco (see Fig. III-1).<sup>72</sup> Payments were in kind. Documents for later transactions suggest that even before the mid-sixteenth century, coin had become the payment medium. The earliest cases also suggest that, at first, nobles sold their land to

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<sup>72</sup> AGN, Tierras, Vol. 17, Part 2, Exp. 4. Lockhart, *The Nahuas*, 154, 169.

commoners, mostly wealthy merchants. This seems to correspond with the precontact tradition of allowing the sale of land only among the elites, such as nobles and wealthy *pochteca*.

However, later lawsuits reveal that the tradition changed as more and more indigenous people sold land to each other, and increasingly to Spaniards. In the cases studied, three Spaniards—Cecilia Jiménez, Juan González Carrasco, and Pascual Hernández—began to accumulate land and houses in Santiago Tlatelolco by buying their indigenous neighbors' estates. In this way, evolving land tenure patterns in Santiago Tlatelolco seem to predict the emergence of *latifundia*. Seventeenth-century and eighteenth-century conflicts among Spanish inhabitants of Santiago Tlatelolco attest that by then Spaniards had owned haciendas and ranches in Santiago for several generations.<sup>73</sup>

At the same time, the economic activities of litigants and their witnesses allow a glimpse into daily life in Santiago Tlatelolco. It is especially interesting to note that a great number of Tlatelolca women were market vendors. They sold all types of merchandise, such as produce, fabric, yarn, feathers, and pulque, in at least three markets, Santiago Tlatelolco, Mexico City, and San Hipólito.

Furthermore, the social snapshots that these cases provide give insight into another aspect of indigenous colonial organization: the *cabildos*. In the previous chapter, Santiago Tlatelolco's *cabildo* acted as a plaintiff in lawsuits that involved the *altepetl*'s land, whereas in the present chapter, it functioned as the local and, for the most part, initial judiciary authority before which the Tlatelolca brought conflicts over land. The

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<sup>73</sup> AGN, Tierras, Vol. 122, Exp. 1; AGN, Capellanías, Vol. 132, Exp. 89, Fs. 1-8v.

role of the cabildo and especially of the indigenous governors in land tenure and related problems are analyzed in Chapter IV.

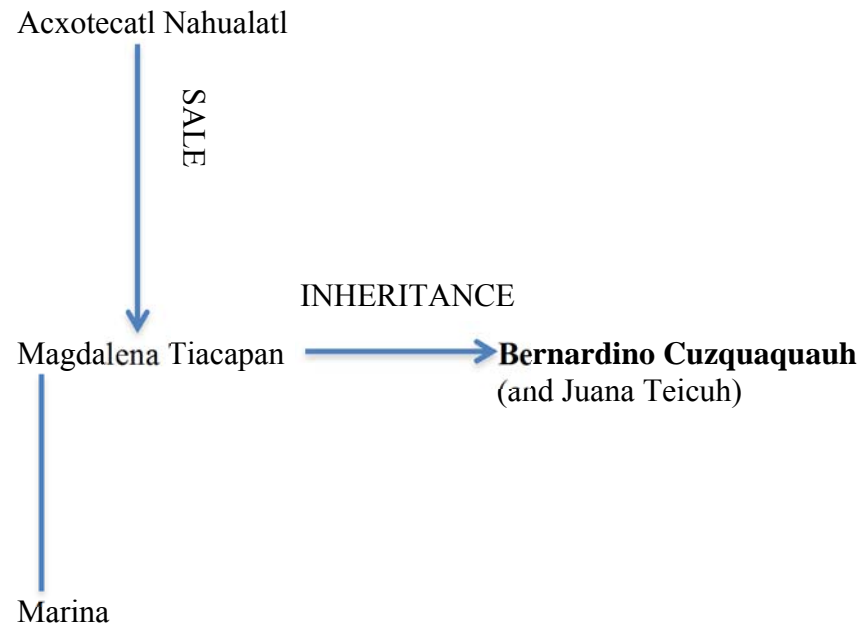


Figure III-1. Land succession pattern for Bernardino Cuzquaquauh compared to land succession patterns claimed by Pablo Uitznauatl, interpreted from AGN, Tierras, Vol. 17, Part 2, Exp. 4.

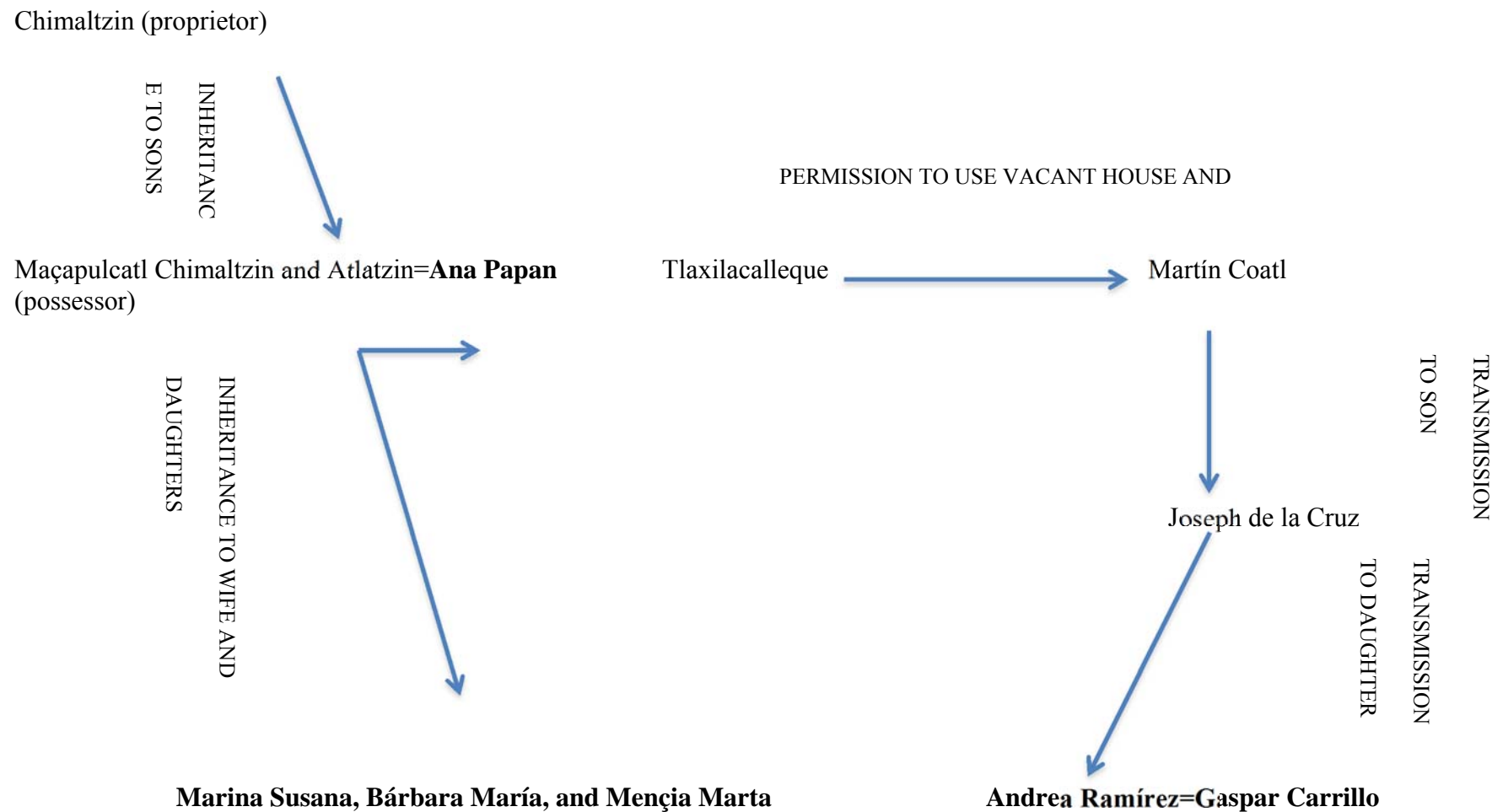


Figure III-2. Succession pattern of proprietorship rights for Ana Papan and her daughters compared to succession pattern of possessorship rights for Andrea Ramírez, interpreted from AGN, Vol. 20, Part 2, Exp. 1.



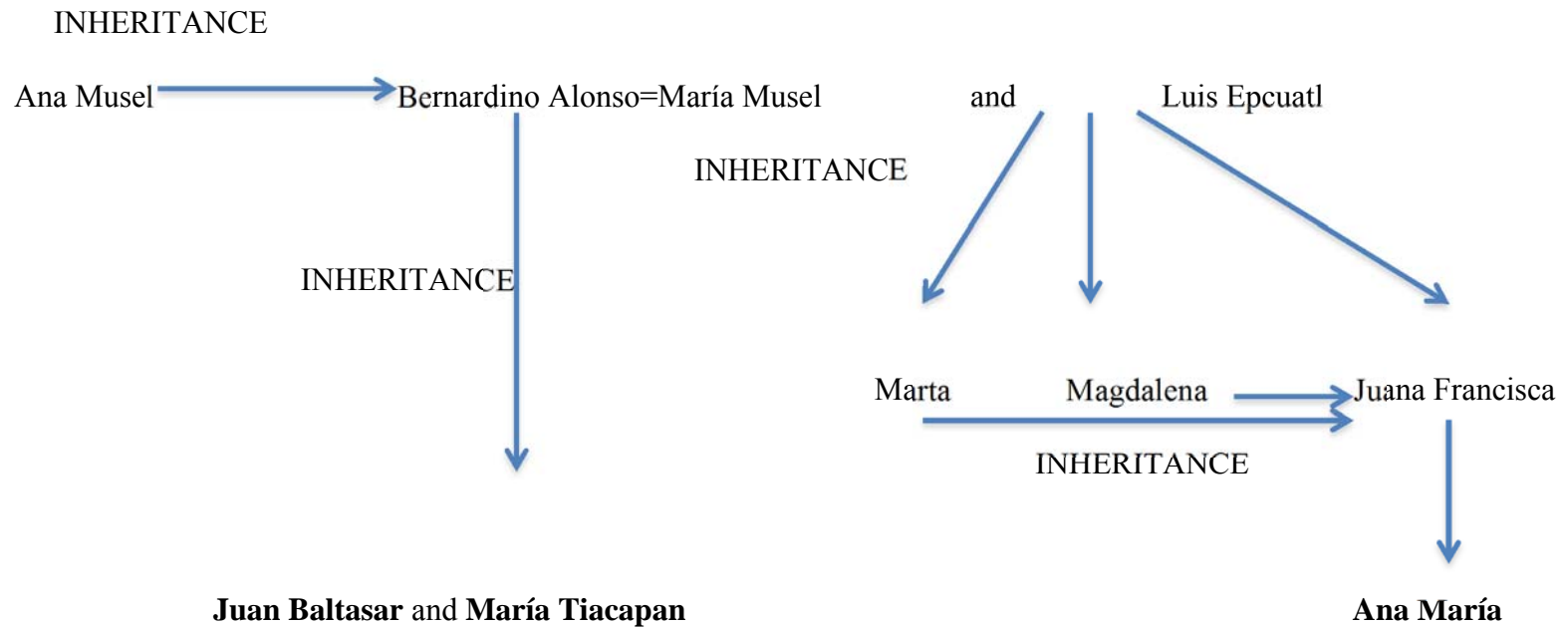


Figure III-3. Land inheritance pattern for Ana María compared to that claimed by Juan Baltasar and María Tiacapan, interpreted from AGN, Tierras, Vol. 48, Exp. 4.

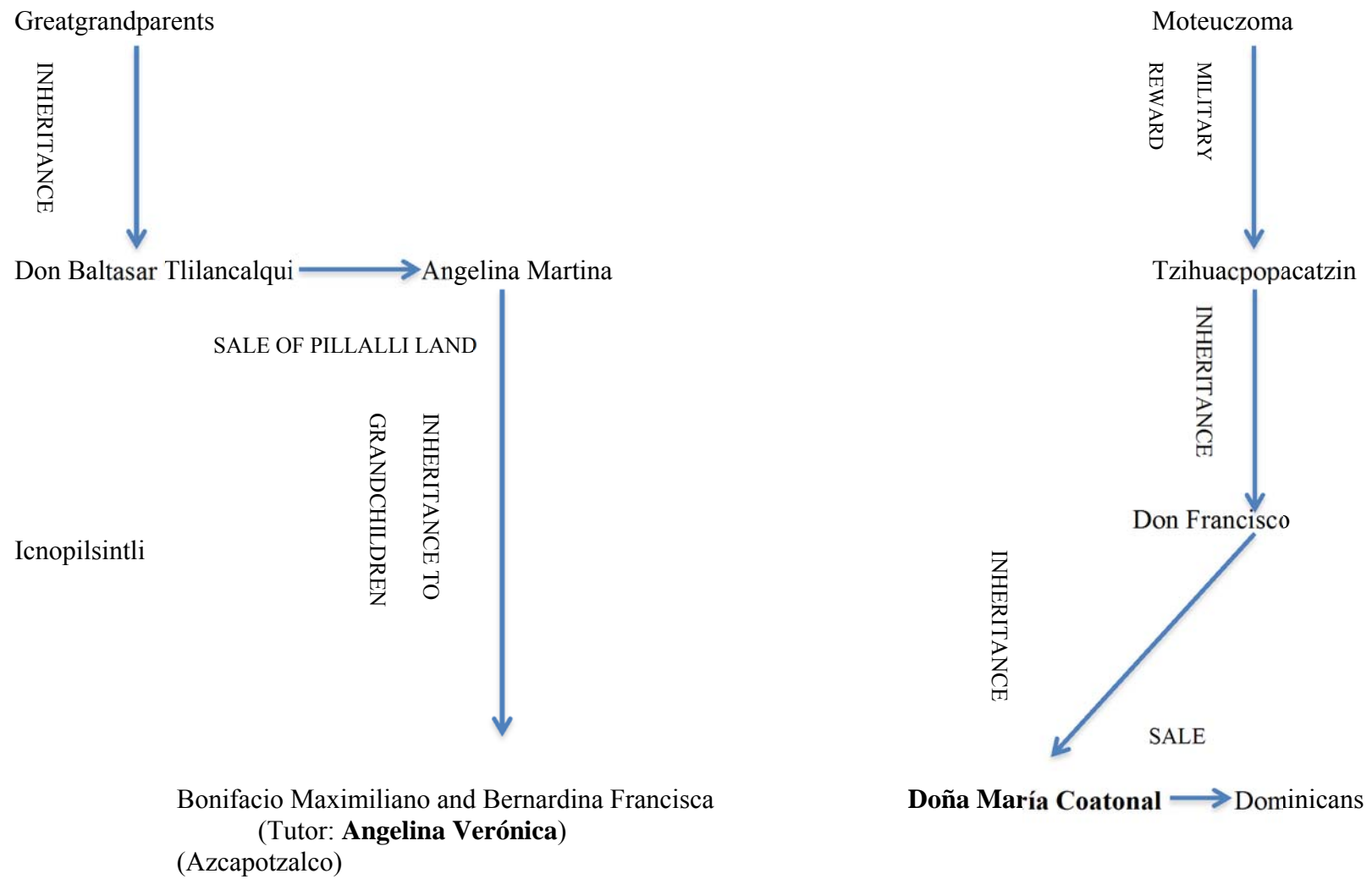


Figure III-4. Succession patterns of land rights of Bonifacio Maximiliano and Bernardina Francisca contrasted to succession patterns of doña María Coatonal, interpreted from AGN, Tierras, Vol. 49, Exp. 5.

## CHAPTER IV: INDIGENOUS GOVERNORS

This chapter discusses the evolution of the indigenous government in Santiago Tlatelolco in relation to rulership, land tenure, and water control in order to evaluate the degree of continuity of prehispanic systems during the sixteenth and early seventeenth centuries as well as the degree to which the Tlatelolca used the Spanish legal system to defend their altepetl's interests. The study of continuity and innovation regarding these topics illustrates how the Spanish presence transformed the relationship between indigenous people and the environment, a change that in turn had a serious impact in the system of land tenure of the Tlatelolca.

The first part of this chapter is an analysis of the concept of tlatocayotl for the Tlatelolca in prehispanic times. Colonial documents reveal that the evolution of rulership among the Tlatelolca differs from the sequences proposed by other investigators. To understand the shifting of power between the Tenochca and the Tlatelolca during the Viceroyalty, it is necessary to understand the development of tlatocayotl in Tlatelolco. In addition, such analysis illustrates the similarities between the Tenochca and the Spaniards in their approach to the people they defeated, in this case, the Tlatelolca.

The second part of this chapter discusses the beginning of rulership in the indigenous republic of Santiago Tlatelolco during the colonial era. It examines how the position of gobernador replaced that of tlatoani. However, the first gobernadores were heirs of the altepetl's tlatocayotl, for they were renowned members of Nahua lineages. The practice of the election of gobernadores in Santiago Tlatelolco is discussed in detail

in order to understand the continuity and the innovation in systems of government among the Tlatelolca.

The third part of this chapter examines the role of indigenous governors in Mexico City's hydraulic works and how this role changed over time. The purpose of this analysis is to understand the transformation that took place throughout the sixteenth and early seventeenth centuries in the relationship between Spaniards and indigenous authorities, indigenous people and the environment, and finally between indigenous people and land tenure. This section is followed by a brief discussion of the cabildo tributary obligations in order to illustrate the significant amount of pressure from Spanish authorities that indigenous gobernadores experienced.

The final part of this chapter analyzes in detail the role of indigenous gobernadores in pursuits of land and water. Colonial documents reveal that during the first decades of the sixteenth century, indigenous gobernadores in Santiago invested a great deal of effort in the defense of their altepetl's land. By the end of the century, they worked more towards their own interests than towards those of the corporation. They did so through the land rights that they had as *caciques* and the *cacicazgo*. Both terms are discussed here.

## **TLATOCAYOTL**

According to Lockhart, the basic elements of an altepetl, whether simple or complex, were a territory, its constituent parts, and "a dynastic ruler or *tlatoani*."<sup>1</sup> The tlatoani had a fundamental role in the prehispanic labor system. Each subject had the

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<sup>1</sup> Lockhart, *The Nahuas*, 15.

obligation of providing tribute to his or her head town. Through a rotational system, each calpolli fulfilled the obligation by providing goods and service to their tlatoani. This communal obligation was one of the most important relationships that constituted social groups. The rulers supervised and channeled the goods and labor that the commoners provided, and enjoyed certain privileges, such as possessing patrimonial land and taxing the markets. Although rulership was inherited through dynastic lines, transmission of power was agnatic, rather than through primogeniture. A group of nobles selected the next tlatoani from among the eligible male members of the ruling family. In addition to dynastic eligibility, factors of patronage, politics, and even violence played important roles in the selection of the tlatoani. Such a dynasty constituted the rulership or tlatocayotl.<sup>2</sup> Before the arrival of the Spaniards, the power of a tlatoani was absolute and based on his ability to wage war and defeat their enemies.

The term tlatocayotl referred to “a more permanent kingship.”<sup>3</sup> The continuity of a dynasty of rulers within a specific altepetl legitimated the authority of the prior tlatoani and the legitimacy of his successor. This proved challenging to the peoples who inhabited central Mexico, for most of them claimed to have been relatively recent migrants from the north. The strategy that they used to counter this complication was to assert their

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<sup>2</sup> Horn, *Postconquest Coyoacan*, 45; Charles Gibson, “Rotation of Alcaldes in the Indian Cabildo of México, D.F.” *The Hispanic American Historical Review* 33, No. 2 (May, 1953): 222. Also, polygyny was common among Nahua rulers, and very often the son of the ruler’s primary wife succeeded his father as tlatoani. Susan Schroeder, “The First American Valentine: Nahua Courtship and Other Aspects of Family Structuring in Mesoamerica.” *Journal of Family History* 23, No. 4 (October 1998): 347.

<sup>3</sup> Susan Schroeder, *Chimalpahin and the Kingdoms of Chalco*, 163.

association with specific migrating groups and through marriages into established dynasties.

The Tlatelolca, for instance, connected their dynastic families to the royal lineage of the Tepaneca at Azcapotzalco. This can be seen in the succession line described in colonial annals such as the *Anales de Tlatelolco* or the *Codex Chimalpahin*. To better understand the difficulty in tracing Tlatelolco's dynastic lineage, it is important to discuss the nature of Nahuatl annals. These pictographic books or screenfolds recorded major events in the history of the altepetl, such as "deaths and successions of rulers, the ending/beginning of fifty-two-year cycles, conquests, major building programs, great celebrations, and natural and climactic phenomena."<sup>4</sup> Throughout time, different scribes updated and generated diverging versions of an altepetl's history. Each account corresponded to the author's agenda. This resulted in variations in the reckoning of both time and events. For instance, the dates and names of tlatoani and gobernadores varied according to the leaders or institutions that each author sought to exalt.

Despite the contradictory information, several sources (among them the lawsuit between Santiago Tlatelolco and Azcapotzalco discussed in Chapter III) coincide on the fact that Quaquapitzahuac Epcoatzin (r. 1350-1409),<sup>5</sup> the first tlatoani of the Tlatelolca, was the son of Tezozomoc, ruler of Azcapotzalco. Quaquauh-pitzahuac was succeeded by Tlacateotl (r. 1409-1427),<sup>6</sup> his eldest son. The dynasty continued with Tlacateotl's

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<sup>4</sup> Elizabeth Hill Boone, *Stories in Red and Black. Pictorial Histories of the Aztecs and Mixtecs* (Austin: University of Texas Press, 2000), 197.

<sup>5</sup> *Anales de Tlatelolco*, 23, 25. Chimalpahin assigned different dates for Quaquapitzahuac's reign: 1403-1418. CC 1: 125, 231.

<sup>6</sup> *Anales de Tlatelolco*, 25. Chimalpahin assigned different dates for Tlacateotzin's reign: 1418-1426. CC 1: 125, 129.

grandson Quauhtlatohuatzin (r. 1424-1452)<sup>7</sup> and Moquihuitzin Tzonpanteuctli (r. 1452-1473),<sup>8</sup> Quaquauhpitzaahuac's youngest son.<sup>9</sup> Thus, the descendants of Tezozomoc constituted the ruling family of Tlatelolco.

As mentioned in Chapter II, in the early fifteenth century, the Tepaneca dominated the basin of Mexico. The close connection between the Tepaneca and the Tlatelolca probably resulted in the latter holding a stronger position in the basin than the Tenochca. However, in 1473 the defeat of the Tlatelolca by the Tenochca brought about the end of the tlatocayotl in Tlatelolco because *cuauhtlatoque* (provisional rulers), installed by the Tenochca, took the power from the ruling family.<sup>10</sup> Thus, the tlatocayotl was compromised because Tlatelolco no longer had its own tlatoani, and the altepetl was no longer fully sovereign.

Nonetheless, a closer study of the position of cuauhtlatoque and of the Tlatelolca that held the title suggests that the ruling dynasty of Tlatelolco remained in power until colonial times, although with a different title. The term cuauhtlatoque referred to non-dynastic rulers.<sup>11</sup> For the Tenochca, cuauhtlatoque were interim rulers that administrated

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<sup>7</sup> *Anales de Tlatelolco*, 25. Chimalpahin assigned different dates for Quauhtlatohuatzin's reign: 1428-1460. According to Chimalpahin, Quauhtlatohuatzin was the son of Acolmiztli, one of Tlacateotzin's sons. CC 1: 131, 133.

<sup>8</sup> *Anales de Tlatelolco*, 25. Chimalpahin assigned different dates for Moquihuitzi's reign: 1460-1473. CC 1:133, 137.

<sup>9</sup> *Anales de Tlatelolco*, 77-79, 87, 89, 95. Angel María Garibay K., *Teogonía e historia de los mexicanos. Tres opúsculos del siglo XVI* (Mexico City: Editorial Porrúa, 1973), 73.

<sup>10</sup> *Anales de Tlatelolco*, 29. CC 1: 139.

<sup>11</sup> Lori Boornazian Diel, *The Tira de Tepechpan: Negotiating Place Under Aztec and Spanish Rule* (Austin: University of Texas Press, 2008), 79.

the city during political transitions, for instance, after the death of a tlatoani.<sup>12</sup> Two types of military leaders were closely associated to the cuauhtlatoque: the *Tlacatecatl* and the *Tlacochochcalcatl* (Keeper of the Dart House). According to Schroeder “most if not all Mexica tlatoani held one office or the other before assuming the throne.”<sup>13</sup> Along with the *Cihuacoatl*, the office just below the tlatoani, the Tlacochochcalcatl and the Tlacatecatl were judges on the tlatoani’s advisory council (Council of Four), and both titles were usually handed from fathers to sons.<sup>14</sup>

The noble lineage of the Tlatelolca cuauhtlatoque, and the fact that several held the title of Tlacochochcalcatl and Tlacatecatl, indicate that Tlatelolca rulers were close to Tenochtitlan’s highest ranks. In 1475, after the defeat of the Tlatelolca, Axayacatzin installed lord Itzquauhtzin as “interim” ruler. Itzquauhtzin was Tlacateotzin’s son and the Tlacochochcalcatl.<sup>15</sup> Chimalpahin wrote that, despite being “interim” and “provisional,” Itzquauhtzin ruled as a tlatoani:

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<sup>12</sup> Connell, *After Moctezuma*, 15.

<sup>13</sup> Susan Schroeder, “Remembering Tlacaelel: Two Hundred Years of Aztec Glory and Infamy,” n.d.

<sup>14</sup> According to Frances F. Berdan and Patricia Rieff Anawalt, the distinction between the Tlacatecatl and the Tlacochochcalcatl was that the former “was the most elevated of the ranks depicted for the *tepochochcalli* commoner warriors,” whereas the latter was one of the most important warriors and a noblemen. However, as members of the Council of Four, both were noble or pilli. *The Codex Mendoza II*, eds. Frances F. Berdan and Patricia Rieff Anawalt (Berkeley: University of California Press, 1992), 196.

<sup>15</sup> CC 1: 141. According to *Florentine Codex* Book 12 and the *List of Rulers*, Itzquauhtzin is listed among some of the quauhtlatoque that ruled Tlatelolco. Kevin Terraciano, “Three Views of the Conquest of Mexico from the Other Mexica,” in *The Conquest All Over Again. Nahuas and Zapotecs Thinking, Writing, and Painting Spanish Colonialism*, ed. Susan Schroeder (Eastbourne and Portland: Sussex Academic Press, 2010), 26. *Anales de Tlatelolco*, 29. Fray Bernardino Sahagún, *Florentine Codex. General History of the Things of New Spain* Book 12, trans. Arthur J.O. Anderson and



*Auh ye quin ipan in yn o yuh poliuh altepetl Tlatilulco yn conpehualti oncan hualmotlalli yn Itzcuahtzin tlacochcalcatl y ye cuauhtlahtohua, aocmo tlahtohuani mochiuh, aocle copilli quitlalilique, yece yuhqui n tlahtocapouhticatca quincenpachoticatca yn Tlatiluca. (I-112-57)*

When the altepetl of Tlatelolco had disappeared, Itzquauhtzin tlacochcalcatl was installed there as quauhtlatoque; he no longer became tlatoani, and they did not place a crown on him, but he was counted as though he were a tlatoani and he governed all the people of Tlatelolco.<sup>16</sup>

The significance of Itzquauhtzin (and of Tlatelolco) is highlighted in the fact that Itzquauhtzin was one of the four Nahua rulers that greeted Cortés on his arrival at Tenochtitlan on November 23, 1519. The other three were the rulers of the Triple Alliance.<sup>17</sup> When Moteuczoma Xocoyotzin was killed by the Spaniards so was Itzquauhtzin.<sup>18</sup>

Tzihuacpopocatzin (r. 1488-1506) was another cuauhtlatoque of royal lineage.<sup>19</sup> According to Chimalpahin Quauhtlehuanitzin, he was the son of Acolmiztli, “a

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Charles E. Dibble (Santa Fe: The School of American Research and The University of Utah, 1975), 45.

<sup>16</sup> Schroeder, *Chimalpahin and the Kingdoms of Chalco*, 182.

<sup>17</sup> Moteuczoma Xocoyotl, tlatoani of Tenochtitlan; Tetlepanquetzatzin, tlatoani of Tlacopan, and Cacamatzin, tlatoani of Aculhuacan Tetzaco. CC 1: 157, 159. Sahagún, *Florentine Codex* Book 12, 47.

<sup>18</sup> CC 1: 157, 159. Sahagún, *Florentine Codex* Book 12, 57, 65-66.

<sup>19</sup> The dates that Chimalpahin assigned to Itzquauhtzin's rule (1475-1519) and those assigned in the *Anales* to Tzihuacpopocatzin (1488-1506) overlap. However, the *Anales* suggest that one had the title of tlacateuctli, while the other was the tlacochcalcatl. The *Florentine Codex* Book 9 confirms this, for it states that both Tzihuacpopocatzin and Itzquauhtzin were the military governors that took over after Moquihuitzin's death. *Anales de Tlatelolco*, 97, 99. Fray Bernardino Sahagún, *Florentine Codex. General History of the Things of New Spain* Book 9, trans. Arthur J.O. Anderson and Charles E. Dibble (Santa Fe: The School of American Research and The University of Utah, 1976), 2.

great lord of Tlatelolco,” and the brother of Quauhtlatatzin, another Tlatelolca ruler.<sup>20</sup> In 1508 Moteuczoma Xocoyotzin granted land in Cuauhtitlan to Tzihuacpopocatzin along with other Tlatelolca and Tenochca nobles. The lands that he received were called the Tehuiloyocan hills, also known as Tlatelolca lands. They were supposed to be communal lands.<sup>21</sup> According to the *Codice Aubin*, Tzihuacpopocatzin died fighting against the Spaniards.<sup>22</sup> However, one of Tzihuacpopocatzin’s descendants became one of the most renowned governors of Santiago Tlatelolco: don Diego Mendoza de Austria Moteuczoma.<sup>23</sup> This confirms that the Tlatelolca royal dynasty, whose origin was Tepaneca, continued to rule even after the arrival of the Spaniards (see Table 1).

The lineage of the colonial governor of Santiago Tlatelolco don Juan Quauiconoc also went back to the prehispanic era. Don Juan Quauiconoc was the son of don Juan Ahuelitoc, third governor of Santiago Tlatelolco, and the grandson of a renowned Tlatelolca warrior named Temilotzin.<sup>24</sup> With Quauhtemoc and other Tlatelolca warriors,

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<sup>20</sup> CC 2: 99. Other sources state that Tzihuacpopocatzin was not the brother but the son of Quauhtlatatzin. Garibay K., *Teogonía e historia de los mexicanos*, 73. Barlow, “Los ‘cónsules’ de Tlatelolco [1473-1520],” 127-128. In the *Codice Aubin*, Quauhtemoc addresses Tzihuacpopocatzin as “his little brother.” According to this source, Tzihuacpopocatzin died fighting against the Spaniards. *Historia de la nación mexicana (Código Aubin)*, 59-60.

<sup>21</sup> *History and Mythology of the Aztecs. The Codex Chimalpopoca*, 122-123.

<sup>22</sup> *Historia de la nación mexicana (Código Aubin)*, 59.

<sup>23</sup> AGN, Tierras, Vol. 49, exp. 5, f. 27.

<sup>24</sup> Barlow dates don Juan Ahuelitoc’s government from 1526 to 1530 and don Juan Quauiconoc’s from 1530 to 1537. However, neither Sahagún nor the document that Barlow referred to as “Petición de 12 sept. 1561” (AGN, Tierras, Vol. 1, Part 1, f. 83) mention any dates. Barlow, “Los Caciques Coloniales de Tlatelolco [1521-1562],” 362.

Temilotzin and Auelitoczin (probably the colonial governor don Juan Ahuelitoc, Temilotzin's son) fought bravely against the Spaniards during the last battles of the conquest in Tlatelolco. According to colonial chronicles, Temilotzin was one of the lords that accompanied Quauhtemoc and Cortés to the Hibueras and so was another Tlatelolca noble named Ecatzin Tlacatecatl Tlapanecatl Popocatzin (and in the colonial era don Martín Ecatzin). According to Sahagún's informants, don Pedro Temilo reestablished the tlatocayotl in Tlatelolco when he became governor. The correlation in time and name in four documents –the *Florentine Codex* Book 8 and Book 12, the List of Rulers, the *Anales de Tlatelolco*, and the lawsuit between Santiago Tlatelolco and Azcapotzalco-- indicates that don Pedro was in fact the brave Temilotzin.<sup>25</sup>

The sources listed above also demonstrate that Temilotzin or don Pedro Temilo was not only noble or *pilli* but had held a high office in prehispanic Tlatelolco. In both the *Anales de Tlatelolco* and the *Florentine Codex*, Temilotzin is referred to as Tlacatecatl, Tlacochealcatl, principal, lord, and “ruler” of Tlatelolco.<sup>26</sup> Don Martín Ecatzin is also described as Tlacatecatl. As mentioned above, like Temilotzin, don Martín fought alongside Quauhtemoc and accompanied him to Hibueras. In the *Florentine*

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<sup>25</sup> Sahagún, *Florentine Codex* Book 8, 7-8. Sahagún, *Florentine Codex* Book 12, 110, 117, 116-120. Kevin Terraciano described the *List of Rulers* as a Nahuatl document inserted before the beginning of the *Anales de Tlatelolco*. Terraciano, “Three Views of the Conquest of Mexico from the Other Mexica,” 19. In his translation, Tena (2004) named this section as “Complemento de Los gobernantes de Tlatelolco.” *Anales de Tlatelolco*, 35, 37-39, 117-121. AGN, Tierras, Vol. 1, Part 1 and 2.

<sup>26</sup> Frederic Hicks, “Mexico, Acolhuacan, and the Rulership of Late Postclassic Xaltocan: Insights from an Early Colonial Legal Case,” in *Production and Power at Postclassic Xaltocan*, ed. Elizabeth M. Brumfiel (Mexico City: Instituto Nacional de Antropología e Historia, University of Pittsburgh, 2005), 201. Sahagún, *Florentine Codex* Book 8, 7-8.

*Codex* and in the lawsuit between Santiago Tlatelolco and Azcapotzalco mentioned above, don Pedro Temilo, followed by don Martín Ecatzin, were the Tlatelolca governors who preceded don Juan Ahuelitoc and the gobernador that succeeded him was his son, don Juan Quauiconoc.<sup>27</sup>

An attempt to trace the rulers who governed Tlatelolco suggests that from 1350, when Quaquaupitzahuac became the tlatoni, to the end of don Diego Mendoza de Austria Moteuczoma's rule (circa 1559/1560), the single dynastic lineage endured in Tlatelolco without interruption (see Table 1). These findings are surprising given that in 1473 the defeat of the Tlatelolca resulted in the end of their tlatocayotl. The fact that dynastic rulers held power even if as cuauhtloque suggests that after Axayacatl defeated the Tlatelolca, the Tenochca faced a dilemma similar to that experienced by the Spaniards when the latter established indigenous government in San Juan Tenochtitlan and Santiago Tlatelolco. To install a non-dynastic government would have effectively destroyed Tlatelolca sovereignty, but it would also result in a government that people would consider illegitimate. Like the Spaniards in the sixteenth century, it seems that in the fifteenth century the Tenochca chose to let the government of Tlatelolco remain within the dynastic family, not as tlatoni, but in the subordinate position of cuauhtloque.

The arrival of the Spaniards seems to have brought a shift. As mentioned above, when don Pedro Temilo became the gobernador of Santiago Tlatelolco he reinstated the

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<sup>27</sup> AGN, Tierras, Vol. 1, Part 1, f. 83. Barlow dated don Pedro Temilo's rule from 1521 to 1523 and Don Martín Ecatzin's from 1523 to 1526. As noted above, in the note 19, there is no information to verify these dates in the documents that Barlow used. Barlow, "Los Caciques Coloniales de Tlatelolco [1521-1562]," 362.

altepetl's tlatocayotl.<sup>28</sup> The lawsuit between the people of Santiago Tlatelolco and doña Leonor Moteuczoma discussed in Chapter II suggests that, in the early sixteenth century, the gobernadores of Santiago Tlatelolco and San Juan Tenochtitlan worked together as equals to defend their land against colonial encroachers.

## GOBERNADORES AND CABILDO

The first indigenous gobernadores were tlatoani. The appointment of indigenous governors in Santiago Tlatelolco took place when the New Spain was declared a viceroyalty. In 1535, Viceroy Mendoza followed a strategy that Cortés initiated by appointing members of the ruling lineages as gobernadores, a process that legitimized indigenous self-government to native peoples.<sup>29</sup> This mechanism served several objectives: it created political and social stability; it proved to be an effective way of collecting tribute; it co-opted indigenous authority, and it curbed the power of the conquistadores.<sup>30</sup> However, the results were paradoxical. They marked a “continuity with the past,” gobernadores that belonged to dynastic families, thus bringing stability and pacification. At the same time, they legitimized Spanish rule, but they also presented a challenge. Their authority was largely independent from the Spaniards because it came from their people and their history. Consequently, they were not easily manipulated by Spanish authorities, and they could potentially rebel.<sup>31</sup>

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<sup>28</sup> See previous page.

<sup>29</sup> Domingo Chimalpáhin, *Las ocho relaciones y el memorial de Colhuacan*. Volume II, trans. Rafael Tena (Mexico City: Consejo Nacional para la Cultura y las Artes, 1998), 193.

<sup>30</sup> Connell, *After Moctezuma*, 11, 13, 16.

<sup>31</sup> Ibid., 59.

Despite the continuity of dynastic lineages during the first decades of the sixteenth century, the position of gobernador was different from that of the tlatoani. Their power was not absolute and their militaries were subordinated to Spanish enterprises. However, the most important change was structural. *Tlatoque* (plural of tlatoani) had been calpolli leaders of the most important subdivisions of an altepetl, and they rotated power among themselves in a cyclical manner. In contrast, gobernadores could come from any part of the altepetl and had no fixed term of office; indeed, it could be lifelong.<sup>32</sup>

At first, Spanish authorities used the tlatoani to obtain social stability and access to indigenous labor, but the fragmentation of the centralized Mexica politico-economic system started almost immediately with the introduction of the cabildo and its associated offices.<sup>33</sup> In 1526, Cortés selected the officials of Mexico City's first cabildo, and in 1530, the crown began to confirm cabildo offices.<sup>34</sup> Soon after, two indigenous cabildos began to function in Mexico City: San Juan Tenochtitlan and Santiago Tlatelolco. According to the *Códice Aubin*, indigenous alcaldes were elected for the first time in 1549.<sup>35</sup> Other sources suggest that, after 1550, the indigenous cabildos of Mexico City

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<sup>32</sup> Connell, *After Moctezuma*, 12-13.

<sup>33</sup> Gibson, *The Aztecs*, 122. Robert S. Haskett, "Indian Town Government in Colonial Cuernavaca: Persistence, Adaptation, and Change." *The Hispanic American Historical Review*, 67, No. 2 (May, 1987): 203-231.

<sup>34</sup> Ida Altman, "Spanish Society in Mexico City after the Conquest." *The Hispanic American Historical Review* 71, No. 3 (Aug., 1991): 416-417.

<sup>35</sup> *Historia de la nación mexicana (Códice Aubin)*, 66.

functioned with regularity.<sup>36</sup> A *cabildo acta* (record) of 1560 deals with a conflict between the Spanish and the indigenous cabildos of Mexico City. This acta records how the officers of the Spanish cabildo requested that the city be organized in three republics: two indigenous ones (Santiago Tlatelolco and San Juan Tenochtitlan), and one Spanish. They also requested that, instead of an indigenous cabildo and an indigenous governor, indigenous representation be subsumed in the Spanish cabildo of Mexico City. Each republic would have two regidores.<sup>37</sup> This request was not granted.<sup>38</sup>

Whereas the Spanish cabildo was characterized by a “strong corporate identity,” the main pillar of the indigenous cabildo was the gobernador. However, he ruled with a council that was much more open than that of its Spanish counterpart because, in addition to current cabildo officials, it included previous governors and officials. This practice recalled prehispanic forms of government.<sup>39</sup>

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<sup>36</sup> According to the *Códice Cozcatzin*, the first indigenous governor of Mexico City was appointed in 1535 and the first *alcaldes* in 1549. *Códice Cozcatzin*, ed. Ana Rita Valero de García Lascuráin, trans. Rafael Tena (Mexico City: Instituto Nacional de Antropología e Historia, Benemérita Universidad de Puebla, 1994), 98. *Códice de Tlatelolco*, ed. Perla Valle (Mexico City: Instituto Nacional de Antropología e Historia, Benemérita Universidad Autónoma de Puebla, 1994), 63.

<sup>37</sup> Cabildo acta of February 19, 1560, AHCM.

<sup>38</sup> In a letter to Prince Philip dated December 19, 1554, don Esteban de Guzmán and the *alcaldes* and *regidores* of Mexico City accused certain Spaniards of trying to take away from indigenous governors the rulership that they had inherited from their forefathers. They stated that thanks to the intervention of the Franciscans, the Spaniards had failed in their intent. Pérez Rocha and Tena, *La nobleza indígena*, 192-193. For further information on the coexistence of the three cabildos see William F. Connell, *After Moctezuma. Indigenous Politics and Self-Government in Mexico City, 1524-1730* (Norman: University of Oklahoma Press, 2011), 5, 8-10, 18.

<sup>39</sup> Lockhart, *The Nahuas*, 36-38. Haskett, “Indian Town Government,” 209.

However, Charles Gibson believed that the introduction of the cabildo eventually weakened the position of the tlatoque because the elections for gobernadores initiated the decline in the rule of dynastic families.<sup>40</sup> As early as the sixteenth century, indigenous principales elected governors and cabildo officials on behalf of their communities. Despite the fact that this was common practice in New Spain, the process was not documented regularly until the seventeenth century. William G. Connell believes that this was so because it was then when the ruling lineages began to contend with real competitors.<sup>41</sup> The paradox of governors' elections was that the process initially served to preserve prehispanic political practices, but eventually it provided the means for political contenders who did not belong to the old dynasties to have access to the governorship.

When a Mexica tlatoani died, the eligible heirs contended for power. The council of the former tlatoani chose the successor. In order to minimize the instability that characterized this *inter regnum* the advisors limited the number of candidates. As time went on, the succession process was streamlined further by reducing the number of advisors. However, scholars believe that the periods of succession were characterized by intense campaigning and "political maneuvering."<sup>42</sup>

According to Connell, the early sixteenth-century selection of gobernadores in Mexico City had close similarities with the selection of the tlatoani. For instance, the contenders were members of the ruling dynasties, the electors were hereditary nobles or pipiltin, and they had lifelong terms. Connell explains that "by the 1560s, indigenous

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<sup>40</sup> Gibson, *The Aztecs*, 166-167, 169.

<sup>41</sup> Connell, *After Moctezuma*, 228.

<sup>42</sup> Ibid., 20, 45.



governments began to rely increasingly on elections to determine a principal ruler."<sup>43</sup>

Election ceremonies were elaborate. Every year on January 1<sup>st</sup>, the pipiltin met at their altepetl's tecpan to elect a cabildo and, if needed, a governor. A Spanish oidor presided the ceremony on behalf of the viceroy. Different parties participated as observers, two interpreters from the Audiencia translated the ceremony for Spanish officials, and native scribes documented it.<sup>44</sup>

The practice of elections, however, did not imply democracy. The gobernador, cabildo officials, and the pipiltin, constituted a closed group of indigenous elite which manipulated elections to control the rotation of offices.<sup>45</sup> Such manipulation was possible because the governors' terms for life and the presence of past officials in the cabildo resulted in a stable elite group that had the power to use patronage to control client networks.<sup>46</sup> Nevertheless, by the last decades of the sixteenth century, the position of gobernador began to transform. The process involved movement away from ruling lineages.

Until 1559, members of the ruling family continued to rule in Santiago Tlatelolco as gobernadores. However, in that year the appointment of don Esteban de Guzmán,

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<sup>43</sup> Ibid., 19.

<sup>44</sup> Ibid., 96. AGN, Indios, Vol. 13, Exp. 31, f. 34, Vol. 22, Exp. 38, f. 49-49v, Vol. 24, Exp. 60, f. 32r, Vol. 24, Exp. 484, f. 353, Vol. 27, Exp. 217, f. 117v, Vol. 32, Exp. 78, f. 78-83v, Vol. 32, Exp. 87, ff. 92r-92v, Vol. 32, Exp. 335, f. 296v, Vol. 33, Exp. 16, 9r-9v, Vol. 36, Exp. 221, ff. 198v-199v, Vol. 37, Exp. 75, ff. 68-68v, Vol. 37, Exp. 223, ff. 235-235v, Vol. 38, Exp. 16, ff. 16v-17, Vol. 29, Exp. 9, ff. 9-9v, Vol. 39, Exp. 10, ff. 9v-11, Vol. 39, Exp. 189, ff. 279-279v.

<sup>45</sup> Connell, *After Moctezuma*, 19.

<sup>46</sup> Ibid., 41.

native of Xochimilco, as Santiago's *juez gobernador* began a new trend: outsiders displacing dynastic gobernadores. This trend became more pronounced in the last decade of the sixteenth century and into the seventeenth century. For instance, in 1588 don Juan Martín, a mestizo who had governed in Calimaya, Xochimilco, Cuitlahuac, Acolman, and Tenochtitlan, became the juez-gobernador of Santiago Tlatelolco.<sup>47</sup> Another examples are don Juan de Zárate, another judge-governor of Santiago Tlatelolco in 1591, who was native of Mixtecapan, and don Jerónimo López, still another juez-gobernador (r. 1596/1599-1608), who was from Xaltocan.<sup>48</sup>

The Spanish had initially conceived of the office of juez-gobernador as more limited than that of the early gobernadores. They would be intermediaries between the indigenous communities and viceregal authorities, and one of their main duties would be to collect tribute from the former and deliver it to the latter. However the first rulers of the indigenous republics of Mexico City (San Juan Tenochtitlan and Santiago Tlatelolco) had been gobernadores. They were supposed to serve for life and the position still retained much of the aura that had surrounded the tlatoani. As annual elections became the routine manner of transfer of power and as dynastic lineages were displaced, the position of gobernador became closer to that initially thought of as judge-governor. At the same time, dynastic gobernadores shared power with non-natives who held the title of juez-gobernador. In fact, Connell states that by the 1560s in San Juan Tenochtitlan,

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<sup>47</sup> Chimalpahin Quauhtlehuanitzin, *Annals*, 69, 143.

<sup>48</sup> CC 1: 177. Chimalpahin Quauhtlehuanitzin, *Annals*, 67, 113. BNA, Microfotografía, serie B. Franklin, rollo 5, manuscrito 1481, Colección Ayer. AGN, Indios, Vol. 6, Part 2, Exp. 1002. AGN, Indios, Vol. 6, Part 1, Exp. 1135.

judge-governors became “only judges.”<sup>49</sup> The analysis of the role of Santiago Tlatelolco’s gobernadores in problems over water and land will illustrate the extent to which the gobernadores’ authority was diminishing in these matters as well.

## THE CABILDO AND THE HYDRAULIC SYSTEM

In the prehispanic period, the construction of the basin’s hydraulic system required access to great quantities of skilled labor. For this reason, scholars believe that the development of the system was the result of the political alliance among Tenochtitlan, Tetzaco, and Tlacopan.<sup>50</sup> It is also likely that the Tenochca and Tlatelolca rulers organized and supervised the construction and maintenance of the hydraulic infrastructure.<sup>51</sup> The hydraulic system in the basin was, then, the result of the work of two different social groups: the tlatoque, who provided labor and materials from their communities, and their subjects who delivered materials and constructed the public works of their altepetl.<sup>52</sup>

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<sup>49</sup> Connell, *After Moctezuma*, 19, 25, 56.

<sup>50</sup> Doolittle, *Canal irrigation in prehistoric Mexico*, 149-150. Sanders et al., *The Basin of Mexico*, 155. Palerm, *México Prehispánico*, 109.

<sup>51</sup> The construction of a canal from Coyoacan to Tenochtitlan during the reign of Ahuizotl (1486-1502) exemplifies the power of the Mexica tlatoani to convoke an impressive quantity of labor. Ahuizotl summoned the people of Tetzaco, Tlacopan, Xochimilco, Chalco, and all the people from the *Tierra Caliente* (southern region). Each community contributed labor and resources. Tetzaco and the Tepaneca brought stone; Chalco, wood, stakes, and volcanic rocks; Xochimilco, tools and canoes; and the people from the south, limestone. So many people worked in this project that they finished it in a surprisingly short period. Durán, *Historia de los indios de Nueva España* (1967), 370-381.

<sup>52</sup> Gibson, *The Aztecs*, 220, 222. Zorita, *Life and Labor in Ancient Mexico*, 184.

Thus, it is not surprising that in the early colonial period one of the functions of the indigenous cabildos in Santiago and Mexico City was to oversee the hydraulic system. In other words, the function of the governors and cabildo officers went beyond channeling labor. In 1542, Viceroy don Antonio de Mendoza ordered an indigenous governor to supervise dredging the canals in the northern part of the basin. This action was essential to reestablish commerce between this region and Mexico City.<sup>53</sup> In 1555, Viceroy don Luis de Velasco I summoned the Spanish authorities and the gobernadores of Tenochtitlan, Tetzaco, and Tlacopan to discuss solutions for the catastrophic flooding that the city was experiencing.<sup>54</sup> The indigenous rulers presented to Velasco I a painted map that represented the prehispanic hydraulic system. The viceroy sent the map to Mexico City's cabildo to serve as a guide for the repair and maintenance of the system.<sup>55</sup> In 1556, Velasco I wrote a letter to Atenco's corregidor, García Valverde, to explain how he had followed the advice of the indigenous officials.<sup>56</sup> In 1580, Santiago Tlatelolco's gobernador and principales took the initiative to repair the causeway that ran from Santiago to Tenayuca. They later informed Viceroy don Martín Enríquez de Almanza (r. 1568-1580) that they had spent 112 gold pesos to pay for the work and they requested that this sum be deducted from their tribute obligations.<sup>57</sup> Indigenous officials also played

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<sup>53</sup> AGN, Indios, Vol. 2, Exp. 309.

<sup>54</sup> Chimalpahin Quauhtlehuanitzin, *Annals*, 83. Candiani, "Draining the basin of Mexico, 1608-1808," 12.

<sup>55</sup> Ramírez, *Memoria acerca de las obras*, 47-48. Palerm, *México prehispánico*, 188-189.

<sup>56</sup> Cepeda, Fernando Alfonso Carrillo, and Juan de Álvarez, *Relación Universal*, folio 6r.

<sup>57</sup> AGN, General de Parte, Vol. 2, Exp. 1014, f. 222v.

a leadership role in the reconstruction of the Albarrada de San Lazaro. The first stage in the albarrada project was to measure the depth of the water. Don Jerónimo López, San Juan Tenochtitlan's indigenous juez-gobernador, don Juan Bautista, Santiago Tlatelolco's gobernador, the alcaldes from both cabildos, and officials from the chinampa area supervised the process.<sup>58</sup>

Later references to the role of Santiago Tlatelolco's gobernadores in hydraulic public works indicate that their importance diminished over time. In December 1589, instead of taking the initiative to repair their causeways and canals, Santiago's gobernador, its alcaldes, and regidores informed Viceroy don Álvaro Manrique de Zúñiga (r. 1585-1590) that cart drivers regularly drove their wagons on the causeway that ran from San Francisco's friary to Santiago's friary. The wagons were not only destroying the causeway but also the canal that took water to the friary of Santiago as well as to the friars and the inhabitants of Santiago Tlatelolco. They asked the viceroy to prohibit the use of carts in the causeway.<sup>59</sup> Although the viceroy agreed to do so, apparently it did not solve the problem of providing water to Santiago.

By the end of the sixteenth century, the people of Santiago Tlatelolco were suffering a lack of drinking water. Cabildo actas and other documents indicate that Mexico City's Spanish cabildo did not consult indigenous officials on the solution of this problem. On April 17, 1592, on behalf of the Tlatelolca, Santiago Tlatelolco's guardian priest requested that the viceroy repair the canal used to bring water to Santiago from

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<sup>58</sup> Chimalpahin Quauhtlehuanitzin, *Annals*, 83-85. Don Jerónimo López also ruled in Santiago Tlatelolco (see Table IV-1).

<sup>59</sup> AGN, Indios, Vol. 4, Exp. 139.

Azcapotzalco. In May of that year, Mexico City's Spanish cabildo visited Santiago and the springs of Coacalco in Azcapotzalco to determine whether the petition was legitimate and feasible. The Spanish cabildo agreed to build the canal. It proposed to provide material and overseers paid from the wine *sisá* (tax for public works), while Santiago Tlatelolco's indigenous cabildo offered to provide labor. The Spanish cabildo named two Spaniards to oversee the work; Alonso de Valdés, who was Mexico City's *obrero mayor* (official in charge of the city's public works), as inspector (*comisario*) of the project and Juan Fernández Peraleda as foreman (*maestro de obra*).<sup>60</sup> Indigenous rulers did not manage or have any input on the project. Friar Bartolomé Larios, Juan Fernández Peraleda (the master mason), and Rodrigo Alonso planned the details of the construction, and Spanish authorities accepted them in May of 1592.<sup>61</sup>

While Spanish officials and friars, supervised hydraulic works in Santiago Tlatelolco, the role of indigenous governors was restricted to organizing labor from their communities and to pay salaries to the workers. In June of 1593, the Spanish cabildo gave thirty *fanegas* (a variable measurement of volume) of corn to the indigenous gobernadores of San Juan and Santiago to pay the people who had cleaned the drains in the streets of Tlacopan and Santiago. In August of 1600, Mexico City's Spanish cabildo ordered the indigenous gobernadores of San Juan and Santiago to provide workers to fix the city's bridges.<sup>62</sup>

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<sup>60</sup> Cabildo actas of April 17, 24, 27, 1592, May 11, 15, 1592, AHCM.

<sup>61</sup> AGN, Indios, Vol. 6, Part 2, Exp. 695.

<sup>62</sup> Cabildo actas, June 10, 1593, August 7, 1600, AHCM.

Chimalpahin's annals and cabildo actas record eight more references to the participation of the Tenochca and the Tlatelolca in the maintenance of Mexico City's hydraulic system in the early colonial period, but indigenous officials are no longer mentioned. In May of 1592, the Tlatelolca began the construction of the pipeline that would take water from Coacalco in Azcapotzalco to Santiago Tlatelolco. In January of 1593, the Tenochca and the Tlatelolca, with the assistance of the Tepaneca and the people from the chinampa region, began to channel the rivers that flowed to Santiago. In June of 1603, the Tenochca and the Tlatelolca dredged the canal that fed one of the Jesuits' colleges. In August of 1604, they cleaned the streets and causeways where the royal insignia would pass for the celebration of the feast day of San Hipólito. From October to December of 1604, the Tenochca and people from the chinampa region repaired the Albarrada de San Lázaro.<sup>63</sup> From November to December of that same year, the Tlatelolca and their subjects renovated the causeway to Tepeyac. In 1607, the Tenochca, the Tlatelolca, and the Tepaneca built dikes in Cuauhyahualolco, Azcapotzalco. In November of 1607, the Tenochca and the Tlatelolca enlarged the albarrada next to the San Lázaro Hospital. Finally, in February of 1608, the Tenochca and the Tlatelolca filled in, raised, and paved the city's causeways.<sup>64</sup>

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<sup>63</sup> On October 1604, the viceroy decided that as part of their tribute, the inhabitants of Chalco would help the Tenochca in the repair of the albarrada. Domingo Chimalpahin, *Diario* trans. by Rafael Tena (Mexico City: Consejo Nacional para la Cultura y las Artes, 2000), 97. Chimalpahin Quauhtlehuanitzin, *Annals*, 82-83.

<sup>64</sup> Cabildo actas, May 11 and 15, 1592, June 26, 1603, and August 5, 1604, AHCM; Chimalpahin, *Diario*, 45, 97, 99, 115, 129, 133; Chimalpahin Quauhtlehuanitzin, *Annals*, 43, 83-85, 107, 111.

In contrast, the Spanish authorities who supervised the above enterprises are clearly indentified. The viceroy supervised the repairs to the albarrada of San Lázaro, the construction of the dikes in Cuauyahualolco, and on occasion, the maintenance of the canals. The obreros mayores oversaw the construction of Santiago's pipes and the cleaning and dredging of the street and canal of Tlacopan. An officer from the Real Audiencia directed the preparation of the streets and causeways on which the royal insignia would pass for the festival of San Hipólito. In 1609, officers of Mexico City's Spanish cabildo supervised the cleaning of the city's canals. Finally, a *juez repartidor* (local magistrate who assigned workers to either public works or private service) from Mexico City inspected the renovation of Xochimilco's aqueduct.<sup>65</sup>

The decline of indigenous officers from affairs concerning the hydraulic system reveals that Spanish authorities eventually replaced indigenous gobernadores in those roles. The timing of this process coincides with James Lockhart's description of the transformation of the indigenous cabildo from 1545-1550 to 1640-1650. According to Lockhart, one of the changes during this period was that the gobernador ceased his role in organizing and managing native labor, cabildo officials did so instead. They summoned workers and then divided them into small groups that a Spanish overseer would supervise.<sup>66</sup> This seems to have happened in relation to the cabildo and the hydraulic system as well.

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<sup>65</sup> Cabildo actas, May 11 and 15, 1592, April 2, 1602, August 5, 1604, and January 9, 1609, AHCM; Chimalpahin, *Diario*, 97, 115, 199, 369, 405; Chimalpahin Quauhtlehuanitzin, *Annals*, 83-85, 157, 159, 277, 301.

<sup>66</sup> Lockhart, *The Nahuas*, 431.



## CABILDO AND TRIBUTE

The participation of indigenous peoples in the construction and maintenance of Mexico City's hydraulic system highlights the importance of indigenous labor for the city's public works generally. It also helps to understand the significance and the tremendous pressure on indigenous officials to supply such labor. The result of this demand was that the gobernador and other members of the indigenous cabildo were caught between serving the interests of Spanish authorities and protecting their own communities. In addition to providing workers, a cabildo act of May 1595 mandated that the gobernadores of San Juan and Santiago should be responsible for the collection of tribute and for its delivery to Spanish authorities. They, in turn, remitted the money to the city's obrero mayor. However, other cabildo actas indicate that indigenous officers could not fulfill this obligation easily.<sup>67</sup>

In addition to collecting tribute and providing labor, another challenge facing the Tlatelolca gobernadores and other officers was the unwillingness of Mexico City's Spanish cabildo to pay for indigenous labor. In 1592, the Spanish cabildo used 4,000

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<sup>67</sup> On eleven occasions between 1561 and 1607, the Spanish cabildo of Mexico City urged them to collect the tribute. In April 1596, it ordered the *mayordomo* (chief steward) to collect the tribute plus the interest that the Tenochca and the Tlatelolca owed. In the seventeenth century, the situation got worse. Santiago Tlatelolco's cabildo was unable to pay Santiago's tribute between 1629 and 1632. According to the members of the cabildo, the reason was that in September 1629 major flooding resulted in the deaths of numerous Tlatelolca while many others fled the city. Santiago's cabildo declared that the number of tributaries was a third of what it used to be. Cabildo act of May 5, 1595, AHCM. *Architectural Practice*, 20, 41. Hoberman, "City Planning in Spanish Colonial Government," 34, Cabildo actas, September 12, 1572, April 22 and 29, 1580, May 17, 1593, December 3, 1593, November 24, 1594, May 5, 1595, May 8, 1595, September 1, 1595, April 22, 1596, May 21, 1599, July 29, 1605, AHCM, AGN, Indios, Vol. 10, Exp. 13.

pesos from the wine *sisa* to pay for the reconstruction of Chapultepec's aqueduct. The religious order of the *teatinos* (a term used for the Jesuits) was supposed to donate the materials. Alguacil Mayor Baltasar Mejía wanted to use cabildo funds to pay the salaries of indigenous laborers. However, the Spanish cabildo decided to use the funds to purchase lime and stone.<sup>68</sup> As mentioned above, on a petition of the Tlatelolca, that same year the city initiated the reconstruction of the pipelines that provided water to Santiago Tlatelolco. The Tlatelolca had requested to be excused from other repartimiento labor drafts so that they could provide workmen for this endeavor. Workers also were supposed to receive salaries from the Spanish cabildo. Spanish authorities ordered Santiago's juez repartidor to take thirty workers every week away from their obligations in the city's churches and to send them to work on the pipeline. Unfortunately, when the juez repartidor requested money from the cabildo to pay for their labor, Spanish officers replied that first they had to see what kind of agreement they had established with the Tlatelolca. It is not clear whether the cabildo paid the salaries or not.<sup>69</sup>

The gobernadores, alcaldes, and regidores of the indigenous cabildos of San Juan Tenochtitlan and Santiago Tlatelolco took charge of the defense of their peoples against exploitation. In 1566, they produced a manuscript painting known as *Pintura del gobernador, alcaldes y regidores de México* or the *Códice Osuna*. In it they complained before the visitador, don Jerónimo de Valderrama, and ultimately, Philip II. They specifically accused Viceroy don Luis de Velasco I of promising food and payment for

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<sup>68</sup> Cabildo acta, May 2, 1592, AHCM.

<sup>69</sup> Cabildo actas, May 2, 1592, May 8, 1592, May 11, 1592, September 18, 1593, AHCM. AGN, Indios, Vol. 6, Exp. 312 and Exp. 316.

the reconstruction of the Albarrada de San Lázaro and of violating this agreement.<sup>70</sup> In the early seventeenth century, both cabildos complained that they were obliged to provide labor in addition to paying one real as a tax for Mexico City's public works.<sup>71</sup> The Spanish cabildo responded in an unfortunate manner. Don Francisco de Solís declared that he did not have receipts for the taxes that the natives of San Juan and Santiago had paid for public works. For this reason, the cabildo decided to ignore the indigenous peoples' complaint. Cabildo officers then sent Mayordomo Diego de Cabrera to collect the tribute they claimed San Juan and Santiago owed.<sup>72</sup>

Despite pressure from Spanish authorities and institutions, on several occasions Santiago Tlatelolco's indigenous cabildo's demands as well as indigenous resistance made Spanish authorities pay for the labor Santiago provided. By the end of the sixteenth century, indigenous peoples like the Tenochca and the Tlatelolca refused to work without payment. This forced Mexico City's Spanish cabildo to pay their salaries. In March 1570, they paid 1,000 *ducados* (approximately 833 pesos de oro) to indigenous workers from San Juan and Santiago who had paved the city's roads.<sup>73</sup> In January 1593, native laborers demanded their salaries for participating in hydraulic public works. The obrero mayor paid them with funds from the sisa. In June of the same year, the Spanish cabildo gave

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<sup>70</sup> *Pintura del gobernador, alcaldes y regidores de México* "Códice Osuna" (Madrid: Servicio de Publicaciones del Ministerio de Educación y Ciencia, 1973), f.7, 469.

<sup>71</sup> Cabildo acta, December 1<sup>st</sup>, 1606, AHCM.

<sup>72</sup> Cabildo acta, June 25, 1607, AHCM.

<sup>73</sup> Charles Dunbar et al., *The Quarterly Journal of Economics* (Harvard University, 1915), 477; Antonio Acosta Rodríguez, Adolfo Luis González Rodríguez, and Enriqueta Vila Vilar, *La Casa de la Contratación y la navegación entre España y las Indias* (Universidad de Sevilla, 2003), 60.

maize to the gobernadores of San Juan Tenochtitlan and Santiago Tlatelolco to pay the workers who had cleaned the storm sewers in the streets of Tlacopan and San Francisco. Spanish officers not only paid the twenty fanegas that they had agreed on but also ten more to motivate the workers to clean the river. In August of 1600, the Spanish cabildo requested workers from the gobernadores of San Juan and Santiago to repair bridges. They promised to pay the corresponding salaries with funds from the sisa. In March of 1602, the viceroy ordered the Spanish cabildo to summon indigenous laborers to dredge canals. The cabildo replied that they did not have funds to pay the workers, but the viceroy urged them to find the funds. Spanish officials were reluctant because they claimed that this specific labor was part of the tribute that indigenous peoples had to provide. However, the urgency of the matter forced them to take 1,500 pesos from the sisa to get the indigenous workers.<sup>74</sup>

## THE INDIGENOUS CABILDO AND LAND

### *Fighting for the Altepetl*

During prehispanic times, control and allocation of rights over land and water were among the most important functions of altepetl and calpolli authorities. Thus, defining boundaries was one of their main obligations. To do so, indigenous peoples depicted their community's land in painted maps.<sup>75</sup> Bernal Díaz del Castillo observed that when there were conflicts over land, tlatoque went before Moteuczoma Xocoyotzin (r.

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<sup>74</sup> Cabildo actas, March 14, 1570, January 8, 1593, June 10, 1593, August 7, 1600, March 8, 1602, March 14, 1602, AHCM.

<sup>75</sup> Lockhart, *The Nahuas*, 142. *Ordenanza del Señor Cuauhtémoc*, 16-17. Stephanie Wood, "The Social vs. Legal Context of Nahuatl *Títulos*," in *Native Traditions in the Postconquest World*, eds. Elizabeth Hill Boone and Tom Cummins (Washington, D.C.: Dumbarton Oaks Research Library and Collection, 1998), 205.

1502-1520) who served as judge in resolving such disputes.<sup>76</sup> Díaz del Castillo's account indicates that, before the arrival of the Spaniards, tlatoani defended the land of their altepetl, legitimized tenure, and adjudicated internal conflicts over land rights.

In the *Ordenanza del Señor Cuauhtémoc*, Quauhtemoc is purported to explain that as tlatoani of the Tlatelolca, he had ordered the creation of this map to protect Tlatelolco's rights over the lake for future generations of Tlatelolca.<sup>77</sup> According to the *Ordenanza*, he did so by naming the markers that served as boundaries (see Fig. I-1).<sup>78</sup> Then, he commanded noble warriors to guard the boundaries to prevent neighboring communities from violating Tlatelolco's rights. In the last folio's text, Quauhtemoc supposedly declared that the purpose of the ordenanza was to set the path for the future

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<sup>76</sup> Wood, "The Social vs. Legal Context of Nahuatl *Títulos*," 205-206.

<sup>77</sup> According to Perla Valle, there is a lot of ambiguity over the biography of Quauhtemoc because different sources provide contradictory information. Most chroniclers state that Ahuizotl (r. 1486-1502) was his father, but they differ on his mother's identity. Some suggest that his mother was Tiyacapatzin, Moquihuix's daughter. Chimalpahin Quauhtlehuanitzin stated that Quauhtemoc was son of Ahuizotl and Tecapantzin, daughter of a great Tlatelolca lord named Epcoatzin.

There is also disagreement on Quauhtemoc's political position. Colonial accounts state that Itzquauhtzin had been the last precontact cuahltloque, while the *Anales de Tlatelolco* suggests that Quauhtemoc was the ruler of Tlatelolco in 1520, a timing that coincides with that of Itzquauhtzin. *Ordenanza del Señor Cuauhtémoc*, 117. CC 2: 99.

I did not list Quauhtemoc in the list of rulers of Tlatelolco included in this chapter (see Table IV-1) because I based this list in the *Florentine Codex* and the lawsuit found in AGN, Tierras, Vol. 1, Part 1 and 2. The reason for this was that they were the two lists that most closely coincided, and they did not list Quauhtemoc.

<sup>78</sup> The markers were the acequia Tezontlale, the Albarrada de Nezahualcoyotl, Santiago Atzacualco, Poyauhtlan, Tepetzinco. Folio 11r described in *Ordenanza del Señor Cuauhtémoc*, 59-66. For the quote on Santiago Atzacualco see *Ordenanza del Señor Cuauhtémoc*, 61.

tlatoque of Tlatelolco.<sup>79</sup> In this way, the *Ordenanza*'s authors claimed that Quauhtemoc passed on to colonial indigenous rulers (whose title became that of gobernador) one of the most important functions of the tlatoani: to defend the altepetl's land and water.<sup>80</sup>

Indigenous gobernadores not only used maps to define boundaries, but also to control land allocation. For this reason they became one of the most "important patrons of maps" during the colonial period.<sup>81</sup> They used maps to allocate corporate land and to document land transfers among indigenous peoples, as well as between natives and

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<sup>79</sup> Auh cayac tel otlatoz yn ipa y tau totepeun yn Tlatelolco, yn ca neltiz y nicauteua y notlatol, amo cane yliuiz ynic niccauteua y ye uecau teutlatolin y pilti ococauteuaque; yca oca nicpiye yn original yn omochi, nouiyapa motlaliz. Yca tiquimitititeuan y quen(m)eca y pitoran yn atlaca chichimeca, yni quipiyezque y quemaniya y quitemouizque yn ca nima quiteyxpaticque y queni y niquaxchteneuteua y ueyatl. Ynic nixpa om(o) chiu y ye uecaun, yniqu ipa nitlatoeua y niueypili y ni Quautemoctzi y Tlatilolco yn oc ye tiue y pilitizaque y copieque yn atl y tepetl. Auh ca çano yuqui ypa tlatozque yn iuqui ypa nitlatoteua yua y noquautlatocapiloua. Yn onixpa omochiuh: Xocoyotl Quauhtemoctzi tlacateuhtli.

Y que nadie se engañe sobre nuestra ciudad de Tlatelolco, porque se cumplirá la palabra que yo deje, y no en vano legaré la antigua palabra señorial que nos dejaron los nobles; porque yo conservo el original que se hizo, y se acatará en todas partes. Por eso les hemos mostrado a los chichimecas laguneros cómo es la pintura, para que la guarden, y si alguna vez la buscaren, que enseguida puedan declarar cómo he señalado los linderos del lago. Así se hizo en mi presencia hace tiempo, y al respecto esto dejo dicho, yo Cuauhtemoctzin, gran señor de Tlatelolco, para los que en el futuro nacieren y gobernaren la ciudad. Y sobre esto ellos dirán lo mismo que yo dejo dicho, y (conmigo) mis nobles cuauhtlatoque. Se hizo ante mí: Xocóyotl Cuauhtemoctzin tlacateuctli. *Ordenanza del Señor Cuauhtémoc*, 160-161.

<sup>80</sup> Amos Megged believes that the *Ordenanza* was painted after Quauhtemoc's death. However, he also believes that before his death Quauhtemoc met with Tlatelolca and Tenochca nobles to discuss land and water rights, and "that during these sessions he did spread open before them the ancient cadastral histories that he held in his possession and that recorded the major events and agreements reached between the Tlatelolca and Tenochca rulers in the past." Amos Megged, "Cuauhtémoc's [sic] Heirs," *Estudios de Cultura Náhuatl* 38, (2007): 344-385.

<sup>81</sup> Mundy, "Pictography, Writing, and Mapping in the Valley of Mexico and the Beinecke Map," 43.

Spaniards.<sup>82</sup> The iconographic presence of San Juan Tenochtitlan's indigenous gobernadores in the *Plano en papel maguey* and in the *Beinecke Map* and the alphabetic text in the *Ordenanza* by the indigenous gobernador of Santiago Tlatelolco (even if only supposed) highlights the role of indigenous gobernadores in the control of land and territory.<sup>83</sup>

Gobernadores don Juan Quauiconoc, don Diego Mendoza de Austria Moteuczoma, don Juan de los Ángeles, and don Agustín Osorio faced some of the most complex conflicts over land that Santiago Tlatelolco experienced.<sup>84</sup> In the early 1530s, on behalf of the people of Santiago, don Juan Quauiconoc litigated against Gil González de Benavides and the people of Xaltocan over the possession of Xoloc, Azumba, Tecalco, and Tonanitla and against doña Leonor Moteuczoma and her husband Cristóbal de Valderrama over the possession of Acalhuacan, Cuauhtitlan, Tocayuca, Talpetan, Açenpa, and Tacalco (see Chapter II).<sup>85</sup> Over the span of the 1560s, a succession of three

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<sup>82</sup> Mundy, "Pictography, Writing, and Mapping in the Valley of Mexico and the Beinecke Map," 43.

<sup>83</sup> See Barbara Mundy, "Crown and Tlatoque: The Iconography of Rulership in the Beinecke Map," in *Painting a Map of Sixteenth-Century Mexico City. Land, Writing, and Native Rule*, eds. Mary E. Miller and Barbara E. Mundy (New Haven and London: Yale University Press, 2012).

<sup>84</sup> Barlow dated don Diego Mendoza de Austria Moteuczoma's term from 1549 to 1562 and limited don Juan de los Ángeles's to 1561. There are no dates for don Agustín Osorio. Barlow, "Los Caciques Coloniales de Tlatelolco [1521-1562]," 362. Sahagún referred to don Diego as don Diego Huitznahatlailotac. *Huitznahatlailotac* was a term that referred to a title and office. Sahagún, *Historia general de las cosas de Nueva España*, 433-434. Yolotl González Torres, "La esclavitud entre los mexica," in *Estratificación social en la Mesoamérica prehispánica*, eds. Pedro Carrasco, Johanna Broda et al. (Mexico City: Instituto Nacional de Antropología e Historia, 1976), 82.

<sup>85</sup> AGI, Justicia, Vol. 123, No. 2. AGI, Justicia, Vol. 124, and AGI, Justicia, Vol. 159, No. 5.

Tlatelolca gobernadores --don Diego, don Juan, and don Agustín-- litigated on behalf of their community against the people of Azcapotzalco over land and water located between Santa Cruz Quaqualco, San Juan Tilhuacan (subjects of Santiago) and San Bernabé Aculnahuac (Azcapotzalco's subject).<sup>86</sup> It is important to note that the indigenous governors mentioned above litigated with the support of other members of the cabildo. At times, alcaldes represented their communities.<sup>87</sup>

Indigenous cabildos, like that of Santiago Tlatelolco, litigated through Spanish procuradores.<sup>88</sup> Procuradores provided knowledge about the Spanish legal system to indigenous peoples. Nonetheless, the arguments Santiago Tlatelolco used in litigations against encomenderos and other indigenous peoples indicate that in the sixteenth century, land tenure was still conceived of and fought for in prehispanic terms. Since a basic prerogative of the nobles was to allocate land, one of the most common ways to legitimize land tenure, both pillalli and corporate (land owned by the altepetl), was to identify the donor of the land as a renowned ruler. The grant could have been the result of a military reward, allocation of vacant land, or a lineage alliance.<sup>89</sup>

The Tepaneca and later the Tenochca rewarded Tlatelolco's military assistance by granting them land. In the lawsuit against doña Leonor Moteuczoma and Cristóbal de Valderrama, don Juan Quauiconoc's most powerful argument was probably the one described by the Crown in a royal mandate in favor of Santiago on May 31, 1535. The

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<sup>86</sup> AGN, Tierras, Vol. 1.

<sup>87</sup> AGN, Tierras, Vol. 17, Part 2, Exp. 4.

<sup>88</sup> See Chapter III.

<sup>89</sup> García Lascuráin, *Solares y conquistadores*, 90-91.



mandate explained that the indigenous cabildos of Santiago and San Juan had argued that, since they lived in the middle of a lake, their survival depended on the mainland territory that Moteuczoma had granted them in exchange for military service. They added that they had also fought along with the Spaniards in the wars against Pánuco and in Honduras, and that their service to the Spaniards was and continued to be essential in the construction of Mexico City's buildings and public works.

The indigenous gobernadores and principales of Santiago and San Juan argued that their military assistance and labor entitled them to continued possession of the lands that Moteuczoma had given them in prehispanic times. They added that the tribute in kind that their landholdings generated enabled them to provide service to Mexico City because their tribute consisted of food and construction material rather than money.<sup>90</sup> Their arguments indicate that they based land rights on military service and labor provided to the ruler, first to Moteuczoma now to the Spaniards.

On the other hand, the gobernador of Xaltocan argued that the Tlatelolca and the Tenochca had obtained possession of the disputed land through aggression and tyranny. They added that Cortés had undone this injustice by returning the territory to Xaltocan. Santiago Tlatelolco replied that the first inhabitants of the lawsuit's land had been Tlatelolca. Before they settled there, the land had been empty and uncultivated.<sup>91</sup> In

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<sup>90</sup> AGI, Justicia 124, No. 5, ff. 33-37.

<sup>91</sup> According to Frederic Hicks, in the fourteenth century Azcapotzalco and its Mexica allies attacked and defeated Xaltocan. As a consequence, its inhabitants abandoned the city. In 1435, the city was repopulated, and the surrounding land was distributed among the Mexica. Hicks also believes that Tetzcoco was the one that transferred the rights of this land to Tenochtitlan and Tlatelolco, but that Teztcoco "did not relinquish its political rights." Hicks, "Mexico, Acolhuacan," 195-205.

addition to using the argument of vacant land, the Tlatelolca legitimized their possession by stating that the first settler had been Tlacateotl, a Tlatelolca tlatoani.<sup>92</sup> They strengthened their argument by adding that, after populating this territory, the Tenochca and the Tlatelolca had conquered Xaltocan, which became subject to the Mexica.<sup>93</sup>

Another of the arguments that don Juan Quauiconoc and the cabildo used in the above lawsuits was the continuity of rulership (tlatocayotl or señorío) in Santiago Tlatelolco.<sup>94</sup> For instance, in the lawsuit against Xaltocan and its encomendero (Gil González de Benavides) don Juan asked his witnesses to corroborate that from Tlacateotl (r. 1409-1427) to Moteuczoma Xocoyotzin (r. 1502-1520), the tlatoani of Tlatelolco had always ruled over the disputed districts; in other words, that the estancias had always been subject to the tlatocayotl of Tlatelolco. As evidence, don Juan presented his witnesses with a pictographic document that showed Tlatelolco's possession and rulership over the land in the lawsuit.<sup>95</sup> Manuscript paintings of a specific territory, its rulers, its history, and its boundaries were commonly used in the colonial period as land titles.<sup>96</sup>

The fact that don Juan presented a painted map as evidence of land ownership not only suggests the continuity of paintings as a traditional way of recording information,

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<sup>92</sup> According to the *Anales de Tlatelolco*, Tlacateotl ruled from 1408 to 1424. *Anales de Tlatelolco*, 25.

<sup>93</sup> AGI, Justicia 123, No. 2.

<sup>94</sup> AGI, Justicia 123, No. 2, f. 33.

<sup>95</sup> AGI, Justicia 123, No. 2, f. 36.

<sup>96</sup> Boone, *Stories in Red and Black*, 128.

but also the continuity of a concept of land possession that incorporated the history and the rulership of a corporation. In the conflict with the people of Azcapotzalco, don Juan de los Ángeles also used the argument of the continuity of Santiago Tlatelolco as a señorío and listed the rulers of Santiago from prehispanic to colonial times. Perhaps the most important part of Santiago Tlatelolco's argument was that the ultimate donor of the disputed land was Tezozomoc, the great Tepaneca tlatoani. He had granted the land in question to his son Quaquapitzahuac, the first tlatoani of Santiago Tlatelolco.<sup>97</sup> That the ruling lineage in Tlatelolco sprouted from the Tepaneca dynasty was one of the most effective arguments to legitimize Tlatelolco's rulership and altepetl status. It also proved to be a very powerful way to legitimize Santiago Tlatelolco's ownership of the disputed land.

In all three lawsuits, the Tlatelolca gobernadores stated that the people from the disputed estancias had been subject to Tlatelolco since the prehispanic era. In addition to arguing that Santiago Tlatelolco had and continued to possess a traditional tlatocayotl, they also claimed that the people who inhabited the disputed territory had always been subject to Tlatelolco and paid it tribute. In this way, they invoked another of the "essential aspects of the altepetl:" "ruler-vassal relationships."<sup>98</sup>

In their attempt to apply the "ruler-vassal relationship" to the disputed land, the Tlatelolca used the term estancia in a way different from its more common usage. First, it is important to note that the proceedings of the lawsuits are entirely in Spanish. This does

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<sup>97</sup> See Chapter II.

<sup>98</sup> Susan Schroeder, *Chimalpahin and the Kingdoms of Chalco*, 125.

not mean that Nahuatl was not used. In fact, Nahua witnesses presented their testimony in Nahuatl, but Spanish authorities recorded only Spanish translations of their testimonies. Consequently, it is not possible to know from the proceedings what the Nahuatl equivalent of *estancia* was. However, the actual treatment of the word and at times a deliberate attempt to define it suggest that one of the arguments that Santiago Tlatelolco's governors used was that the disputed *estancias* functioned as sociopolitical units that were subject to Santiago Tlatelolco.

As mentioned before, according to Lockhart *estancia* was commonly used to denote a "privately owned tract of land for agrarian purposes." He also stated that he had never seen the term *estancia* used as a "sociopolitical unit in a mundane Nahuatl document."<sup>99</sup> On the other hand, Gibson (and later Gerhard) reported that in colonial Spanish sources the word *estancia* is used for constituent parts of an *altepetl* that were distant and separate, while the term *barrio* is used for districts "connected" or contiguous to the *altepetl*'s head town.<sup>100</sup> The three lawsuits analyzed in this dissertation support that the usage that Gibson suggested is more accurate and that the term *estancia* did connote a sociopolitical unit.

In all three conflicts, the disputed lands were designated as *estancias*. In the lawsuit between Santiago Tlatelolco, doña Leonor Moteuczoma and Cristóbal de Valderrama, one of the main arguments of Santiago Tlatelolco's gobernador was that the disputed land functioned like a *barrio* and not like *estancias* because they were

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<sup>99</sup> Lockhart, *The Nahuas*, 53.

<sup>100</sup> Gibson, *The Aztecs*, 33. Gerhard, *A Guide to the Historical Geography of New Spain*, 408.

contiguous to Santiago, and they were inhabited by the Tlatelolca who had been cultivating land there.<sup>101</sup> The fact that the conflicts between Santiago and Xaltocan and between Santiago and doña Leonor were sent all the way to the Consejo de Indias in Spain reveals that the value of the estancias was very high not only as cultivated land, but as sociopolitical units that provided much needed tribute and labor. In the lawsuit between Santiago Tlatelolco and Azcapotzalco, the term *estancia* is used as a synonym for *barrio*. Santiago's gobernador and cabildo argued that as with the other barrios of Santiago, the disputed districts were subject to Santiago Tlatelolco, acknowledged it as their head town, and held Tlatelolco's rulers as their own.<sup>102</sup>

Later in this case (1567), the Royal Fiscal, doctor Céspedes de Cardenal, interceded in favor of Santiago. He asked his witnesses to confirm that the disputed districts were estancias and that as such, they were distant from Santiago Tlatelolco and intermingled with the land of the surrounding communities but separate and with defined boundaries.<sup>103</sup> Although this argument seems to contradict previous claims of estancias functioning as barrios, it most suggests that the estancias were in fact sociopolitical units since, in 1566, Miguel Daniel and Sebastián Hernández on behalf of the people of the disputed districts appeared in the suit as a third party. They requested to continue being subject to Santiago Tlatelolco as they had always been.<sup>104</sup> Even though neither Miguel

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<sup>101</sup> AGI, Justicia 124, Caso 5, f. 81.

<sup>102</sup> AGN, Tierras, Vol. 1, Part 1, f. 86.

<sup>103</sup> AGN, Tierras, Vol. 1, Part 2, f. 75.

<sup>104</sup> AGN, Tierras, Vol. 1, Part 2, f. 15.

nor Sebastián were qualified as principales, their participation attests to some kind of social and political organization, even if their districts were far from Santiago.

The fact that Santiago's estancias intermingled with those of Tenochtitlan in territories adjacent to Xaltocan, Ecatepec, and Azcapotzalco, also reflects the persistence into colonial times of the prehispanic pattern of an altepetl's territory being non-contiguous and dispersed. Pedro Carrasco explains that a common policy among the altepetl of the Triple Alliance was to distribute conquered land in the basin of Mexico among themselves. The result was that Tenochtitlan, Tlatelolco, Tetzaco, and Tlacopan all possessed land, and thus tributaries, intermingled in each other's regions. It was also common for several altepetl, for instance, Tenochtitlan and Tlatelolco, to have rights over land located adjacent to another altepetl. One example is that both had rights in districts close to Xaltocan.<sup>105</sup>

In addition to defending land, colonial indigenous gobernadores, like their prehispanic counterparts, functioned as judicial authorities. Typically, when individual Tlatelolca had disputes over land, he/she first went to their gobernador for redress. If he was unable to solve the conflict, a common occurrence, a lawsuit would be presented before the Audiencia during the first decades of the sixteenth century, and in the following decades, before the Juzgado General de Indios.<sup>106</sup> Indigenous gobernadores had the authority to imprison offenders and to allocate land. Accordingly, after issuing a

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<sup>105</sup> Pedro Carrasco, *Estructura politico-territorial del Imperio tenochca. La Triple Alianza de Tenochtitlan, Tetzaco y Tlacopan* (Mexico City: El Colegio de México, Fideicomiso Historia de las Américas, Fondo de Cultura Económica, 1996), 56. Hicks, "Mexico, Acolhuacan," 195-205.

<sup>106</sup> AGN, Tierras, Vol. 17, Part 2, Exp. 4; AGN, Tierras, Vol. 20, Part 2, Exp. 1; AGN, Tierras, Vol. 35, Exp. 1; AGN, Tierras, Vol. 49, Exp. 5.

judgment the Audiencia or the Juzgado often commissioned the indigenous gobernadores to protect the people who had received the favorable sentence.<sup>107</sup> The interaction between Spanish authorities and indigenous cabildos was continuous. It seems to have been common practice for Spanish judicial authorities to entrust the gobernadores of Santiago Tlatelolco with the initial investigation of disputes.<sup>108</sup> During the sixteenth century, the role of indigenous gobernadores as the authorities who allotted land was so significant that their judgments in litigations over land were as important as those of Spanish authorities, including the Audiencia.<sup>109</sup> For this reason, their approval of Audiencia's judgments and their presence in ceremonies of possession (see below) were essential parts of the resolution of lawsuits, and one that was not always accomplished.

In terms of land tenure, one of the more important functions of gobernadores and indigenous cabildo officials probably was one that originated in the prehispanic era: to represent community consensus. According to Lockhart, the main difference between European and Nahua land-holding systems was that community consensus was much more important in the latter. The presence of local rulers and elders was an essential part of land transfers because they represented the opinion and the public approval of the community.<sup>110</sup> One example is that their authorization was necessary for a sale to take place.<sup>111</sup> In a case discussed in Chapter III (see Fig. III-1), circa 1519, Magdalena

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<sup>107</sup> AGN, Tierras, Vol. 20, Part 2, Exp. 1; AGN, Tierras, Vol. 35, Exp. 1; AGN, Tierras, Vol. 56, Exp. 8; AGN, Tierras, Vol. 2729, Exp. 20.

<sup>108</sup> AGN, Tierras, Vol. 56, Exp. 8; AGN, Indios, Vol.2, Exp. 843.

<sup>109</sup> AGN, Tierras, Vol. 35, Exp. 1.

<sup>110</sup> Lockhart, *The Nahuas*, 149.

<sup>111</sup> Harvey, "Aspects of Land Tenure in Ancient Mexico," 93.

Tiacapan sought the approval of Santiago's elders regarding the land she had purchased from an indigenous noble named Acxotecatl Nahualatl.<sup>112</sup> In 1572, María Xoco and Juan García asked Santiago's *alcaldes* permission to sell the houses each had in the barrio of San Sebastián Ahuatenco to the Spaniard Cecilia Jiménez.<sup>113</sup> However, towards the end of the sixteenth century another trend seemed to emerge. In 1587, Gaspar Rodríguez and his wife María Salomé, Martín García and his wife Magdalena de San Martín, and Martha Angelina, all residents of Santa Ana, requested permission from Mexico City's Spanish *corregidor* to sell their land and houses.<sup>114</sup>

In addition to approving land transactions, *cabildo* officers performed a ritual in which they represented the community's endorsement of the owner's possession. Thus, a ceremony of possession continued to be the final step of the exchange and even litigation over land tenure during the colonial era. In itself, the ritual became a definitive proof of ownership that would provide witnesses if another party laid claim to the same piece of land.

However, the introduction of Spanish traditions modified the act of possession. When Magdalena Tiacapan bought land (see above), she invited the elders of Santiago to a feast at the purchased property, and she offered them pulque from the *magueys* of that

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<sup>112</sup> AGN, Tierras, Vol. 17, Part 2, Exp. 4. In addition to the use of the Nahuatl word *tlalcohualli* (purchased land), Lockhart used this case because of its early date to argue that the sale of land existed during the prehispanic era. Lockhart, *The Nahuas*, 153-154.

<sup>113</sup> See Chapter III. AGN, Tierras, Vol. 2789, Exp. 1.

<sup>114</sup> AHAM, C.1, Exp. 35.



land.<sup>115</sup> Lockhart believes that this ceremony was still modeled after prehispanic traditions. In contrast, later ceremonies seemed to have followed Spanish custom: a presiding official would take the new owner by the hand and walk him all over the plot of land, and the new proprietor would carry out “symbolic destructive acts showing his full rights,” such as closing and opening doors, weeding or throwing soil and stones, and entering and exiting the property.<sup>116</sup>

Although indigenous gobernadores in Santiago Tlatelolco continued to be the local judicial authorities in their communities, it seems that as early as the last decades of the sixteenth century their influence as such had eroded. In 1584, Angelina Verónica, tutor to the heirs of a wealthy female merchant, initiated a lawsuit against doña María Coatonal, niece of don Diego Mendoza de Austria Moteuczoma. Following the dictates of community consensus, don Juan de Austria, Santiago Tlatelolco’s governor, issued a ruling in favor of Angelina Verónica, but upon appeal by the other party, the lawsuit continued before the Audiencia. Finally, the Audiencia ordered don Antonio Valeriano, juez gobernador of San Juan Tenochtitlan, to resolve the conflict. Unlike, Santiago’s gobernador, Valeriano ruled in favor of doña María Coatonal.<sup>117</sup> That the Audiencia took away don Juan’s jurisdiction over a case that involved land in Santiago seems to affirm the diminishing authority of indigenous governors in Santiago Tlatelolco.

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<sup>115</sup> AGN, Tierras, Vol. 17, Part 2, Exp. 4.

<sup>116</sup> AGN, Tierras, Vol. 20, Part 2, Exp. 1; AGN, Tierras, Vol. 35, Exp. 1; AGN, Tierras, Vol. 49, Exp. 5; AGN, Tierras, Vol. 48, Exp. 4; AGN, Tierras, Vol. 56, Exp. 8. Lockhart, *The Nahuas*, 169. María Teresa Jarquín, *Formación y desarrollo de un pueblo novohispano* (Zinacantepec, Mexico: El Colegio Mexiquense, 1990), 198.

<sup>117</sup> AGN, Tierras, Vol. 49, Exp. 5.

*Rulers as Caciques: Fighting for Their Own Interests*

*Cacique* and *cacicazgo* are other key terms for understanding the postconquest changes in the institution of indigenous rulership in New Spain. *Cacique* was a word adopted early on by the Spaniards to refer to a range of indigenous rulers in the New World and elsewhere in the Empire. According to the *Recopilación de Leyes de Indias*, in 1538 Spanish authorities decided to use the title *cacique* instead of *señores naturales* (indigenous lords) to refer to indigenous rulers that provided military assistance. The Crown confirmed the land rights of such so-called *caciques*.<sup>118</sup>

The relationship between the title *cacique* and land tenure as expressed in the term *cacicazgo* (indigenous noble estate) makes the discussion of these terms pertinent to this chapter. The word *cacicazgo* is related to the words *cacique* and *mayorazgo*. As mentioned in Chapter II, *mayorazgo* was a type of impartible property in which land was inherited by the first-born son (primogeniture).<sup>119</sup> The reason for entailing land in this manner was to preserve the estate within the family, which would not be possible if it was divided among multiple beneficiaries over successive generations.

When the Crown confirmed the land rights of the *caciques*, it established *cacicazgo* as a form of land tenure. The Crown ordered that if indigenous *caciques* could prove that they were in fact traditional leaders and that they had owned their land since precontact times, they could maintain possession of it.<sup>120</sup> For this reason, a strategy used

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<sup>118</sup> Margarita Menegus Bornemann, "El *cacicazgo* en Nueva España," in *El cacicazgo en Nueva España y Filipinas*, edited by Margarita Menegus Bornemann and Rodolfo Aguirre Salvador (Mexico City: Universidad Nacional Autónoma de México and Plaza y Valdés, S.A. de C.V., 2005), 20, 23.

<sup>119</sup> See Chapter II, footnote 35.

<sup>120</sup> Menegus Bornemann, "El *cacicazgo*," 15, 16.

by indigenous rulers to preserve their position and their possessions was to request royal recognition of their status as well as *mercedes* (land grants) that would legitimize their properties. If the Real Audiencia recognized their position as traditional caciques, then they also confirmed their definitive right to the land as well as to other inherent privileges, such as the *terrazgo*, or the right to collect tribute from the people who cultivated the land.<sup>121</sup>

In brief, until 1560, the indigenous gobernadores of Santiago Tlatelolco belonged to the dynasty of precontact tlatoque. As such, they held both the title of gobernador and cacique because they had rights over land and labor.<sup>122</sup> As discussed above, over time the significance of the tlatoani declined. However, the institution of cacicazgo endured. In fact, descendants of caciques, could claim land rights over the cacicazgo.

Don Diego Mendoza de Austria Moteuczoma and his descendants constitute one example. He requested a cédula from the Crown that would recognize the nobility of his lineage and acknowledge his cacicazgo. Charles V accepted the petition, and gave don Diego the title of gobernador in perpetuity. Although don Diego eventually lost his title, he was able to pass the lands pertaining to the cacicazgo on to his descendants. The case of don Diego is particularly interesting because, instead of referring to his noble Tlatelolca and Tepaneca forefathers, he (and later his descendants) claimed that he was Moteuczoma's grandson and Quauhtemoc's son.<sup>123</sup> Perhaps his case is a very early

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<sup>121</sup> Jarquín, *Formación y desarrollo*, 201.

<sup>122</sup> In contrast, gobernadores who only held the title of juez gobernador did not have the title of caciques. Olko, "Convenciones y estrategias," 208.

<sup>123</sup> The origin of don Diego has caused a great deal of controversy. Barlow, Megged, and Castañeda de la Paz believe that don Diego was an impostor, whereas

example of how in the colonial and later in the Mexican discourse the Tenochca heritage overshadowed the Tlatelolca one.<sup>124</sup>

Besides preserving their patrimonial land, caciques used other tactics, many of a nefarious nature, to increase their holdings. One was to usurp land used to support the cabildo officers, or office-land. In addition to the nobility's personal land known as *pillalli*, in the prehispanic era, there were other types of land (*tecuhtlalli*, *tlatocatlalli*, *tecpanatlalli*) that noble officials could use for their own support, but this land pertained to the corporation, not the individual. It was worked by community members to support the cabildo officers during their terms, and it was inalienable.<sup>125</sup> Eventually, this type of land disappeared, typically because indigenous gobernadores who held office for long terms eventually claimed that such land was not office-land but rather that it belonged to their *cacicazgo*.<sup>126</sup> Gobernadores might also appropriate land that belonged to the corporation

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Rebeca López Mora, Emma Pérez Rocha, and Rafael Tena believe that don Diego was in fact a direct descendant of Moteuczoma Xocoyotzin and Quauhtemoc. Barlow, "Los caciques coloniales de Tlatelolco [1521-1562]," 148. Megged, "Cuauhtémoc's Heirs," 368. Castañeda de la Paz, "Apropiación de elementos y símbolos de legitimidad entre la nobleza indígena. El caso del *cacicazgo* tlatelolca," 21-47. López Mora, "El *cacicazgo* de Diego de Mendoza Austria y Moctezuma: un linaje bajo sospecha," 213, 216, 221, 230-231. Pérez Rocha and Tena, *La nobleza indígena*, 80.

<sup>124</sup> The Latin American Library at Tulane University holds the Moctezuma Family Papers, a collection of documents dated from 1778 to 1866. In the late nineteenth century, Mr. Hilario Camacho y Torres assembled these papers to prove that he was a descendant of don Diego Mendoza de Austria Moteuczoma, and that the latter was Quauhtemoc's son. The collection suggests that this last fact is the one that most legitimizes don Diego's nobility. There is no mention of don Diego's Tlatelolca (and Tepaneca) noble lineage. Moctezuma Family Papers, William Gates Collection No. 5, Latin American Library, Tulane University, New Orleans, Louisiana.

<sup>125</sup> Jarquín, *Formación y desarrollo*, 147. Lockhart, *The Nahuas*, 174.

<sup>126</sup> Gibson, *The Aztecs*, 260-261.

(calpollalli), and that as such was supposedly inalienable. To legitimize their possession, they typically claimed that the land in question had been vacant.<sup>127</sup>

The *Códice Cozcatzin* attests that don Diego was one of the gobernador/caciques who successfully used these strategies. This codex is a manuscript painting prepared by inhabitants of the area that comprised Santiago Tlatelolco, Santa Isabel Tola, and San Juan Ixhuatpec, which together initiated a litigation against don Diego for usurping the land that they claimed to have received from Itzcoatl in 1432.<sup>128</sup> The charges were so serious that in 1560, Spanish authorities appointed don Esteban de Guzmán as juez-gobernador of Santiago Tlatelolco so that he could investigate don Diego. After losing a residencia trial, don Diego was incarcerated and died in prison in 1562.<sup>129</sup> Don Diego not only usurped land of the community, he also appropriated the land that he and his siblings had inherited from Tzihuacpopocatzin. To justify his action, he explained that a Spaniard had usurped their land, and that he had recovered it through litigation. Since his siblings

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<sup>127</sup> Jarquín, *Formación y desarrollo*, 208.

<sup>128</sup> *Códice Cozcatzin*, 33, 36. The provenance of the *Códice Cozcatzin* has been the object of much debate. Ana Rita Valero García de Lascuráin believes that the Tlatelolca were the ones who prepared this manuscript to protest against the abuse of their governor don Diego, whereas Rebeca López Mora believes that the don Diego referred to in the codex was, in fact, Diego Tehuetzquiti, governor of San Juan Tenochtitlan, and that the provenance of the codex was not Tlatelolca but Tenochca. Like her, María Castañeda de la Paz believes that the codex is Tenochca. However, Castañeda de la Paz points out that the excerpt that refers to don Diego had been manipulated, i.e., the original text had been erased and replaced with the name of Tlatelolco's governor don Diego de Mendoza. She believes that in the seventeenth century, the codex fell in the hands of a family who wanted to obtain the rights to don Diego's cacicazgo, and that they were the ones who altered the document. López Mora, "El cacicazgo de Diego de Mendoza Austria y Moctezuma: un linaje bajo sospecha," 230-231. María Castañeda de la Paz, "Filología de un 'corpus' pintado (siglos XVI-XVIII): de códices, techialoyan, pinturas y escudos de armas." *Anales del Museo de América XVII* (2009): 81-82.

<sup>129</sup> Pérez Rocha and Tena, *La nobleza indígena*, 43-44.

had not helped fund the process, he had deemed it fair to keep it for his own. Still, he bequeathed this land to his siblings and their children in his will in order to restore to them their patrimonial land.<sup>130</sup>

Although Don Diego's motivations seem to reflect personal rather than corporate interests, the *Códice de Tlatelolco*, the document that don Diego probably prepared for his defense, suggests that he used the same arguments that indigenous gobernadores used for the defense of their altepetl's land. The codex describes important Tlatelolca history between 1542 and 1560.<sup>131</sup> The first images of the manuscript painting represent two Tlatelolca governors dressed as warriors: Alonso Quauhnochtli (r. 1537-1539) (see Fig. IV-1) and don Martín Quauhtzin Tlacatecatl (r. 1539-1545) (see Fig. IV-2). Each is depicted above name-glyphs of towns located in the north of the New Spain, where the Tlatelolca, among other peoples, fought along with the Spaniards against indigenous groups in the Mixton War. Indigenous peoples, among them the Tlatelolca, were sent to Nueva Galicia to assist the Spaniards subdue the violent indigenous rebellions brought about by former governor Nuño de Guzmán's mistreatment.<sup>132</sup> The images of Tlatelolca warriors seem to connote the participation of Santiago Tlatelolco in Spanish military campaigns.<sup>133</sup>

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<sup>130</sup> AGN, Tierras, Vol. 49, Exp. 5, f. 27.

<sup>131</sup> *Códice de Tlatelolco*, 37, 85.

<sup>132</sup> Lori Boornazian Diel, *The Tira de Tepechpan: negotiating place under Aztec and Spanish rule* (Austin: University of Texas Press, 2008), 97.

<sup>133</sup> *Códice de Tlatelolco*, 59-60. According to Xavier Noguez, this was the expedition that Vázquez de Coronado led from Nueva Galicia to the current state of Kansas. See Xavier Noguez, "El Códice de Tlatelolco. Una nueva cronología," in *De tlacuilos y escribanos. Estudios sobre documentos indígenas coloniales del centro de*

The next group of images probably represent don Diego (see Fig. IV-3 and IV-4), the tributary obligations of the altepetl, and the fate of those who did not fulfill them. Under the section that refers to the events that took place between 1548 and 1549, there is an image of a Spanish official who holds a large coin with two small inner circles (see Fig. IV-4). According to the *Códice Aubin* in 1549, each of the indigenous residents of Mexico City began to pay two reales as tribute.<sup>134</sup> It is possible that the image described above refers to such event. The next group is composed of a scaffold with three figures beneath it. The first two are church bells, each topped by six circles with a cross inside, and with a *pantli* figure. The last group consists of Spanish musical instruments, also topped with circles and *pantli* figures (see Fig. IV-4). In 1579 the crown ordered Santiago Tlatelolco to pay a tribute that would be used for the construction of Mexico City's cathedral. Several decades later, Tlatelolco had to contribute workers to lift the bells into the cathedral's belfries. It is possible that the bells, the coins, and the banners refer to these contributions.

Two other figures in the codex seem to depict the public works in which the Tlatelolca participated. One is the image of a wall in the space that represents the events of 1555 (see Fig. IV-5). The picture of the wall consists of three horizontal panels. The one in the bottom represents a stone foundation; the middle one, a frieze decorated with circles; and the top one, a series of crenels. To the left, an indigenous worker (attired in a European manner) leans on the wall. According to Valle, the wall represents the

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México, eds. Xavier Noguez and Stephanie Wood (Zamora and Zinacatepec, Mexico: El Colegio de Michoacán, El Colegio Mexiquense, 1998), 21.

<sup>134</sup> *Historia de la nación mexicana (Códice Aubin)*, 66. Noguez, "El Códice de Tlatelolco," 66.

Albarrada de San Lázaro, and the human figure, the indigenous workers who built it.<sup>135</sup> The other figure is an octagonal fountain located in the plate that refers to 1556 (see Fig. IV-6). Valle believes that this is a reference to Santiago Tlatelolco's continuous problem of bringing potable water into the city.<sup>136</sup> Perhaps this fountain is a specific reference to Santiago Tlatelolco's caja de agua. As mentioned previously, between circa 1536 and 1580 or 1610, the caja was possibly the main water reservoir in Santiago.<sup>137</sup>

Another theme in the codex is the collaboration between Spanish authorities and indigenous gobernadores. The figures of both are present in several plates, but mostly in the plate that refers to 1557 that represents the ceremony to commemorate Philip II's coronation (see Fig. IV-7).<sup>138</sup> Although the central group of images in the plate contains a platform occupied by the most significant Spanish authorities –Viceroy Luis de Velasco I and Archbishop fray Alonso de Montúfar--, the gobernadores of Santiago Tlatelolco, Tenochtitlan, Tlacopan, and Tetzcoco appear directly below the viceroy and the archbishop.<sup>139</sup> Unlike the depiction of the Spaniards, which follows European

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<sup>135</sup> *Códice de Tlatelolco*, 73-74.

<sup>136</sup> *Códice de Tlatelolco*, 76.

<sup>137</sup> See Chapter I.

<sup>138</sup> *Códice de Tlatelolco*, 82. This event is also described in the cabildo acta of June 6, 1557, AHCM. Not surprisingly, in the acta, don Diego does not figure above the others. In fact, he is the last to be listed. The *Codice Aubin* also describes such event. *Historia de la nación mexicana (Códice Aubin)*, 71.

<sup>139</sup> Viceroy don Luis de Velasco I is identified by the glyphs for eye (*ixtli*), beans (*etl*), and liver (*elli*), which stand for his last name, and by the glyphs for bird (*tototl*), rubber ball (*ulli*), and pot (*comitl*). Fray Alonso de Montúfar is identified by his name glyph constituted by the symbols for water, sun, human foot, and rubber ball. *Códice de Tlatelolco*, 65, 79.



conventions, the indigenous gobernadores are depicted in the traditional prehispanic style used to represent tlatoque. They sit on a woven rush seat, wear “a turquoise diadem (the *xihuitzolli*)” on their heads and a *quetzaltlalpiloni* (royal style of tying up hair with feathers), and a cotton mantle (*tilmatl*).<sup>140</sup> Each is identified by a name glyph connected to their heads by a line, and by the name glyph of their altepetl located beneath or next to their seats. The first indigenous ruler is don Diego Mendoza de Austria Moteuczoma, Santiago Tlatelolco’s gobernador, followed by don Cristóbal de Guzmán Cecepatlic, San Juan Tenochtitlan’s gobernador, don Antonio Cortés Totoquihuaztli, Tlacopan’s gobernador, and don Hernando Pimentel, Tetzaco’s gobernador.<sup>141</sup>

The contrast between the depiction of the Tlatelolca ruler versus that of the other indigenous gobernadores suggests that the purpose of the Tlatelolca *tlacuilo* (painters of codices) who produced this manuscript was to exalt the position of Santiago Tlatelolco and especially its ruler, don Diego. Although in the Triple Alliance, Tlatelolco was subordinated to Tenochtitlan, in this context, don Diego is represented as more important than the other gobernadores. He is in the first position, his seat is higher than the others, and his cotton mantle is more ornate (see Fig. IV-7). Perhaps, the Tlatelolca *tlacuilo* is suggesting that there was a new order among the altepetl in which Santiago Tlatelolco was more important than San Juan Tenochtitlan. However, the fact that the depiction of

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<sup>140</sup> Boone, *Stories in Red and Black*, 46-47; Noguez, “El Códice de Tlatelolco,” 41.

<sup>141</sup> Don Diego Mendoza de Austria Moteuczoma’s name glyph consists on the symbol for bird (tototl for don), beans (etl for e), and pot (comitl for co). Together these sounds give don Diego. His last name is represented by the symbols for stone (*tetl* for men) and head (*tozan* for doza). Together these sounds give Mendoza. Below his seat is the name place for Tlatelolco: Earth Mound. *Códice de Tlatelolco*, 61; Noguez, “El Códice de Tlatelolco,” 41; Boone, *Stories in Red and Black*, 53.

the indigenous gobernadores follows prehispanic stylistic conventions suggests that, at the same time, the tlacuilo wanted to indicate continuity between the prehispanic tlatoani and the colonial gobernadores. Finally, the *Códice de Tlatelolco* suggests that in colonial indigenous communities, gobernadores were seen as important authorities, perhaps less so than Spanish authorities depicted in the codice, but still in an important part in the picture.

## CONCLUSIONS

The comparison between the list of Santiago Tlatelolco's gobernadores and their advocacy in matters of public works, tribute, labor, and land demonstrate that at least until the 1560s (the end of don Melchor de Austria Moteuczoma's term), dynastic governors continued to rule in Santiago Tlatelolco without sharing power with outsiders. Furthermore, colonial documents and chronicles also indicate that, although sorely compromised, the defeat of the Tlatelolca by the Tenochca in 1473 did not result in a break into the Tepaneca lineage that ruled in Tlatelolco.

By the end of don Melchor's rule in 1593, Tlatelolca gobernadores no longer supervised hydraulic works. Increasingly they faced other problems, such as the collection of the tribute that the Tlatelolca had to pay both in money and in labor. Some of the reasons for this were flooding, disease, high mortality, population flight, geographic mobility, and corruption. The pressure on gobernadores to provide labor became unsustainable. The problem was worsened by the fact that Mexico City's Spanish cabildo consistently refused to pay for indigenous labor.

Although pressure from the Spanish authorities on indigenous gobernadores sometimes resulted in abuse, they also seem to have acted frequently as fierce defenders

of their own and their people's rights. They fought to have their indigenous labor paid, to retain corporate land, and to serve as mediators in internal disputes among individuals. To do so, they used prehispanic traditions, such as legitimizing land tenure in cases involving military reward, vacant land, and patrimonial land. The cases analyzed also indicate that one of the most important principles that they applied in their oversight of the land was community consensus, a concept much more important in the Nahua world than in Spain.

The case of don Diego Mendoza de Austria Moteuczoma illustrates how indigenous gobernadores adapted to a changing world. Even though he ultimately died in prison, he had been very successful in preserving land and status for his immediate descendants, at the expense of his community. His story also illustrates how, from the sixteenth century on, claims for indigenous nobility were founded on connections with the Tenochca lineage and not with the Tlatelolca one.



Figure IV-1. Don Alonso Quauhtlnochtli, plate I in *Códice de Tlatelolco*. Mexico City: Instituto Nacional de Antropología e Historia, Benemérita Universidad Autónoma de Puebla, 1994.



Figure IV-2. Don Martín Quauhtzin Tlacatecatl, plate I in *Códice de Tlatelolco*. Mexico City: Instituto Nacional de Antropología e Historia, Benemérita Universidad Autónoma de Puebla, 1994.



Figure IV-3. Don Diego Mendoza de Austria Moteuczoma, plate I in *Códice de Tlatelolco*. Mexico City: Instituto Nacional de Antropología e Historia, Benemérita Universidad Autónoma de Puebla, 1994.



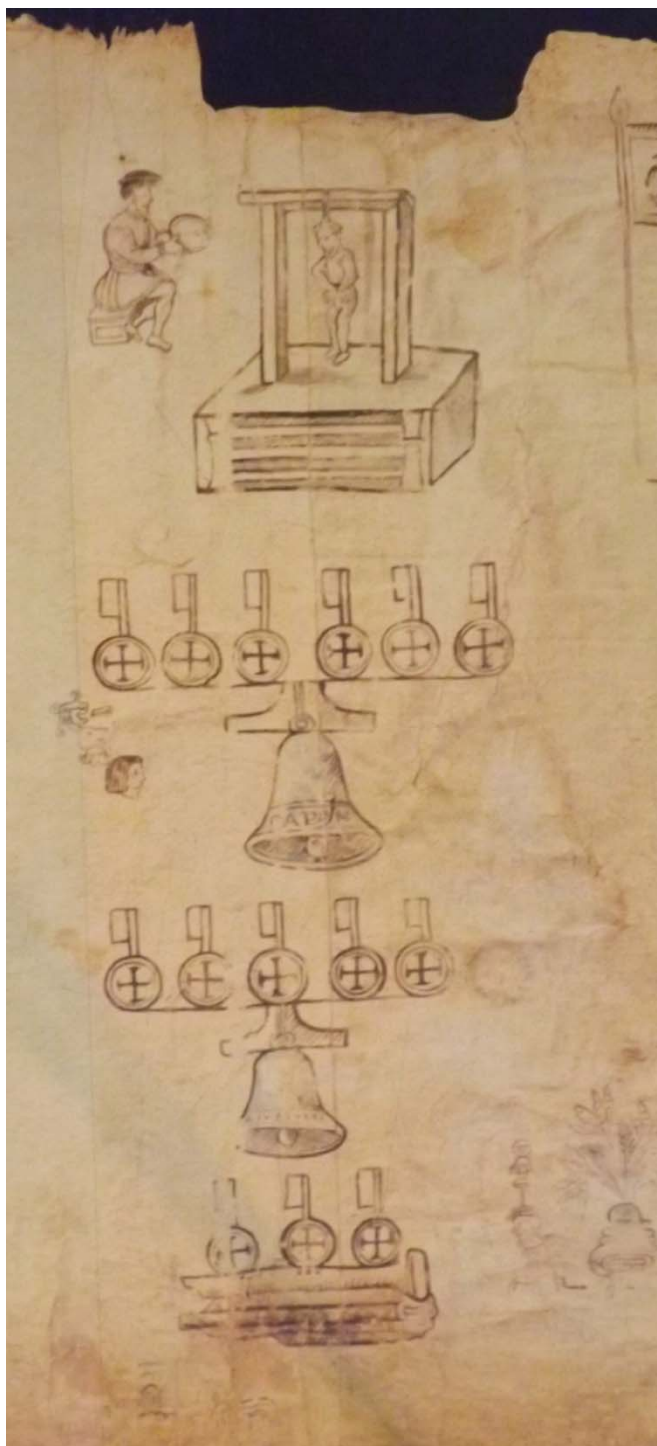


Figure IV-4. Detail of plate I in *Códice de Tlatelolco*. Mexico City: Instituto Nacional de Antropología e Historia, Benemérita Universidad Autónoma de Puebla, 1994.



Figure IV-5. Detail of plate VI in *Códice de Tlatelolco*. Mexico City: Instituto Nacional de Antropología e Historia, Benemérita Universidad Autónoma de Puebla, 1994.



Figure IV-6. Detail of plate VII in *Códice de Tlatelolco*. Mexico City: Instituto Nacional de Antropología e Historia, Benemérita Universidad Autónoma de Puebla, 1994.





Figure IV-7. Commemoration of Philip II's crowning, plate VIII in *Códice de Tlatelolco*. Mexico City: Instituto Nacional de Antropología e Historia, Benemérita Universidad Autónoma de Puebla, 1994.

**Table IV-1. Rulers of Tlatelolco**

NAME	POSSIBLE DATES OF RULERSHIP	TITLE
Quaquauhpitzaahuac	1350-1409	Tlatoani
Tlacateotl	1409-1427	Tlatoani
Quauhtlatohuatzin	1424-1452	Tlatoani
Moquihuitzin	1452-1473	Tlatoani
Itzquauhtzin	1475-1519	Tlacochealcatl, served as “interim ruler.”
Tzihuacpopocatzin	1488-1506	Tlacatecatl, served as cuauhtlatoani.
Don Pedro Temilo	1521-1523	Tlacatecatl, Tlacochealcatl, and gobernador.
Don Martín Ecatzin	1523-1526	Tlacatecatl and gobernador.
Don Juan Ahuelitoc	1526-1530	Mixcoatlailotlac and gobernador.
Don Juan Quauiconoc	1530-1537	Gobernador.
Don Alonso Quauhnochtli	1537-1539	Tlacateco and gobernador.
Don Martín Tlacatecatl/Quauhtzin/ Guzmán	1539-1545	Tlacatecatl and gobernador.
Don Diego Mendoza de Austria Moteuczoma	1545-1560	Gobernador.
Don Esteban de Guzmán	Circa 1559	Juez-gobernador.
Don Juan de los Angeles	Circa 1561, 1563	Gobernador.
Don Gregorio de San Buenaventura	Circa 1562	Gobernador.
Don Luis de Santa María	Circa 1564	Gobernador.
Don Agustín Osorio	Circa 1569	Gobernador.
Don Miguel García	1579-1591	Juez-gobernador.
Don Juan de Austria	Circa 1588	Gobernador.
Don Juan de Zárate	Circa 1591	Juez-gobernador.
Don Juan Martín	1588-1590	Juez-gobernador.
Don Gaspar Mendoza de Austria Moteuczoma	1591-1592	Gobernador.
Don Melchor Mendoza de Austria Moteuczoma	1593	Gobernador.
Don Jerónimo López	Circa 1596/1599-1608	Juez-gobernador.

Don Juan Bautista	Circa 1604, 1608	Juez-gobernador.
Don Melchor de Soto	Circa 1613	Juez-gobernador.
Don Melchor de San Martín [perhaps the same as above]	Circa 1621	Described as “indio principal”
Don Juan Toribio de Arcaraz (Alcaraz)	Circa 1631, 1632, 1634	Gobernador.

## CONCLUSIONS

In this dissertation, conflicts over land and water have been approached from different perspectives: environmental, historical, social, and political. In all of them, the main actors are undoubtedly the people of Tlatelolco. In the environmental aspect, although the Tlatelolca, like the Tenochca, established the head town of their altepetl in an adverse setting, they were able to control the environment to their advantage; first, by building more land in the form of chinampas; and second, by creating a complex hydraulic system. Perhaps one of the most striking examples of their knowledge and use of the geography was to build a dike (Albarrada de Nezahualcoyotl) on top of a subaquatic geologic elevation (see Fig. I-13). Despite the advantages that the advanced hydraulic system provided, land in the island was not enough to feed the population of both cities. For this reason, both altepetl depended on the tribute that their mainland subjects provided them. Such tribute was not only in the form of goods –such as maize-- but also labor, which was instrumental in the construction of public works and military expansion.

During the prehispanic period, the Tlatelolca were also able to use the hydrography of their city, specifically the small lagoon –the Lagunilla—, to become the major commercial center of the island. Lake Tetzaco was connected to the Lagunilla by a narrow waterway known as Tepiton. Merchants brought their products to Tlatelolco's market in canoes that entered the Lagunilla by this water branch. Thus, although Tlatelolco was located in a disadvantageous setting for the practice of agriculture, it was

able to exploit its location to become the most important market in the basin in the prehispanic era.

Colonial sources suggest that while the Nahua landholding system was designed to provide sustenance to the entire community, it also preserved a status quo. Only the elite, which included nobles, renowned warriors, and very wealthy *pochteca*, could own personal land, and they could only sell it among themselves. On the other hand, commoners had access to corporate land, i.e. *altepetl*'s land that the nobility distributed among the people in exchange for tribute. This system worked at both macro and at a micro levels. In the former, the *altepetl* received labor and goods from their subjects; in the latter, nobles received tribute from individuals who used their land. The sources analyzed reveal that Tlatelolco had numerous subject communities dispersed in the basin, as far as Coyoacan.<sup>1</sup> In addition, many of these communities were scattered among the holdings of other *altepetl*, which later led to conflict.

In this model, land tenure was a fundamental strategy to obtain labor and goods produced elsewhere. For this reason, the right of property was not as important as that of possession. Property consisted of total dominion over the land, which allowed its proprietor to sell it; whereas possession consisted of being able to use the land (either getting tribute from its inhabitants or cultivating it) but not to transfer it. However, the cases studied reveal that the distinction between commoners and nobles in their transfer of land was not that clear-cut. Sale among the elite was very rare; inheritance was the most common way in which they transferred land to their descendants. On the other hand, commoners also bequeathed their arable land to their children, even if it ultimately

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<sup>1</sup> AGI, Justicia 124, f. 42; AGI, Justicia 159, No. 5.

belonged to the altepetl. The right of possession depended on continual cultivation; if the land remained idle, altepetl officials could reassign it to someone else. In this respect, the Nahua and Spanish systems were similar. In the Spanish system, there was corporate land which belonged to the municipality. It was known as ejido, and it could be used by the people but did not constitute personal land. The right of possession over this land depended on its continual use. In addition, in medieval Spain land ultimately belonged to the Crown, which distributed it among the nobility in exchange for loyal service. These points of contact constituted a “double mistaken identity,” for in reality both land tenure systems were very different.<sup>2</sup>

One of the main contrasts was the identification of land boundaries. The lawsuits studied indicate that boundary identification among the Tlatelolca seemed ambiguous to Spaniards (and to us) because the process relied on community consensus. The tlatoani and elders of an altepetl or of a tlaxilacalli participated in ceremonies of possession to acknowledge corporate or individual rights. When asked to identify the boundaries in colonial lawsuits, people used ephemeral markers such as trees or rocks to identify their land. At times, they used more permanent markers, like rivers or hydraulic structures. However, the markers or mojoneras were not as important as community consensus. People respected land boundaries and passed on knowledge about them to the next generation. Map paintings constituted one of the ultimate expressions of community consensus. However, Tlatelolca documents reveal that the so-called conquest and the establishment of the viceroyalty disrupted the system. Continuous conflicts over land tenure suggest that during the colonial period, community consensus as the basis for land

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<sup>2</sup> Lockhart, *Nahuas*, 445.

tenure was in crisis and so was the concept of possession. Each party claimed that they had proprietary rights over land, and both used a traditional indigenous tool as evidence of such ownership: manuscript paintings.

The *Ordenanza del Señor Cuauhtémoc* and the *Plano en papel maguey* seem to follow not only indigenous style and content but also the traditional motivation to prove rights over territory. The Tlatelolca's incessant introduction of painted maps as evidence into lawsuits indicates that they continued a prehispanic tradition. However, this took place in a different context which ultimately shifted the meaning of the practice. Both the *Ordenanza* and the *Plano* connect landholding to the history of the altepetl, for instance to grants made by the tlatoque as military reward. In contrast, colonial documents suggest that later, the most important content of paintings was the depiction of boundaries, and that indigenous people began to produce forged paintings that served their interests. The Spanish court's demand for such maps only made the problem worse. In the lawsuit between the Tlatelolca and the Tepaneca from Azcapotzalco, the Audiencia assumed that each party had a painting that represented a previous resolution, but the Tlatelolca did not have such a map, and that fact seems to have weighed against them. The value and the assumptions that the Spaniards assigned to such maps seem to have produced an entirely new product, even when both Spaniards and indigenous peoples acted as though these maps were the continuation of a prehispanic tradition. In turn, it is possible that the new meanings of the paintings resulted from new ways of conceiving land and land tenure.

In Santiago Tlatelolco, the challenges to community consensus in the land tenure system coincided with an increasing sale of land, first among indigenous peoples but later, to Spaniards. This process was plagued with conflicts. Those that are documented

had made their way to the Audiencia and to the Juzgado General de Indios. Some of the lawsuits suggest that indigenous nobles who either became encomenderos themselves or were related to them greatly benefited from patronage by Spanish officials who had close connections with the Audiencia's oidores. Since Santiago Tlatelolco was a realengo, and thus not part of any encomienda, it did not benefit from the encomenderos' support.

Notwithstanding, colonial documents also demonstrate that the Tlatelolca had the financial means and the necessary legal knowledge to pursue lengthy litigations. They obtained access to procuradores, interpreters, and even oidores. They recognized cases of corruption, for instance when an interpreter favored one party, and they made the courts remove corrupt officials. They replaced procuradores when they found them ineffective; they obtained the help of oidores who were sympathetic to them. Before Crown representatives, they accused oidores of delaying and interfering with their cases. Furthermore, they played the colonial game of checks and balances to their advantage. Finally, along with all the other indigenous peoples that continuously brought conflicts over land and other affairs to the Audiencia, the Tlatelolca overwhelmed the system. The documents make it clear that the Audiencia's human resources were insufficient and incapable of satisfying the indigenous peoples' never-ending demands for justice. This had to be one of the factors that led to the establishment of an additional court: the Juzgado General de Indios. The purpose of this court was to divert lesser conflicts from the Audiencia, and apparently, it did so. After the Juzgado's establishment, only very complicated lawsuits passed on to the Audiencia.

However, before going to the Audiencia or the Juzgado, the Tlatelolca seem to have brought their conflicts to Santiago Tlatelolco's indigenous gobernador. At first, the



Tlatelolca gobernadores belonged to the dynastic family. Their positions were for life; they directed hydraulic projects in the basin, and acted as judiciary authorities in their communities. In this initial stage, they were still surrounded by the aura that had revolved around the tlatoque in the prehispanic period. Perhaps the most concrete manifestation of their preeminence was the cacicazgo: the right to retain the land that had belonged to their families in the prehispanic era and to hold office in the cabildo. The waning of indigenous leadership in the hydraulic systems of the city coincided with the rise of a new type of official: the juez-gobernador. Colonial documents indicate that juez-gobernadores did not belong to dynastic families; in fact, they were not from Santiago Tlatelolco, and, thus, did not own cacicazgos.

Throughout the viceroyalty, several of the most important functions of both juez-gobernadores and gobernadores remained the same: to defend their altepetl's land, to collect tribute, and to serve as local judges. These were conflicting obligations. On the one hand, gobernadores were expected to oversee their people; on the other, they had to mediate between Spaniards' demand for tribute and labor and their people's needs. In addition, at times it seems that the gobernadores' personal interests overcame loyalty to their people. The *Códice de Tlatelolco* was probably a sixteenth-century by-product of the conflicts that took place between Santiago Tlatelolco's gobernadores and the Tlatelolca. The codex has the organization of a tradition annal. Events are depicted beneath year markers, but these events more than celebrate the history of the altepetl seem to glorify its gobernador: don Diego Mendoza de Austria Moteuczoma. It is possible that don Diego used this manuscript painting to defend himself against charges of abuse of power.

By the seventeenth century, it was evident that Tlatelolca gobernadores could not fulfill the tributary obligations that the Spaniards had imposed on their people, a fact that led gobernadores and cabildo officers into prison. In the eighteenth century, people accused gobernador don Lucas de Santiago of mistreating and assaulting them, and of manipulating the elections by threats and corruption to remain in power.<sup>3</sup> He was also accused of renting altepetl land to Pablo Ramírez, a Spaniard. Unfortunately for don Lucas and the Tlatelolca, Pablo Ramírez eventually deprived them of their land.<sup>4</sup> This case, like others analyzed in this study suggests that the emergence of the concept of private land, i.e., of proprietors instead of possessors, altered social relations, such as that between gobernadores and their communities.

Another result of this process was a changing relationship between the inhabitants of Mexico City and the environment. As property replaced possession, sale of land replaced inheritance, and individual interests replaced corporate interests, authorities and residents continued an unsustainable exploitation of land and water, leading to the desiccation of the lake. The utmost example of this process is the construction of the Huehuetoca Ditch.

Despite all odds, one group seems to have thrived in Santiago Tlatelolco. Tlatelolca women survived the deaths of husbands, fathers, brothers, and sons who fought against the Spanish. Female merchants continued to sell their products not only in Santiago Tlatelolco but in the other markets that were established in the city. Noble indigenous women married into Spanish society and had access (legitimate or

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<sup>3</sup> AGN, Indios, Vol. 31, Exp. 8; AGN, Indios, Vol. 39, Exp. 10.

<sup>4</sup> AGN, General de Parte, Vol. 22, Exp. Único.

illegitimate) to land, tribute, and labor. Women went to indigenous authorities and Spanish courts to fight for their rights. Those that were married went with their husbands; those that were not, went alone. Even minors with no money found the way to engage in successful litigations. Like the rest of the society, Tlatelolca women began very soon to buy, sell, and rent land, and to bequeath it to their children and relatives. By the eighteenth century, they even mortgaged land.<sup>5</sup>

There are two logical extensions of this dissertation. First would be the reconstruction of Santiago Tlatelolco's organization. From lawsuits, accounts, and other documents it could be possible to identify the social constituents of the *altepetl* and their different manifestations. Of main importance would be to determine the nature of the *tlaxilacalli*, *barrios*, or contiguous elements of the *altepetl* compared with the separate *estancias* scattered in the basin. Second would be the study of the development of haciendas in Santiago Tlatelolco, such as the renowned Hacienda de Santa Ana. According to Vargas Rea, in 1704 don Manuel Mancio, interpreter of the Real Audiencia, translated the *Ordenanza* to Spanish to use it as evidence in conflicts over land. In this lawsuit, the people of Tlatelolco used the *Ordenanza* to preserve the land known as Tepetzinco. The file of this lawsuit is missing, but Tlatelolco probably lost, because the map of the Hacienda de Santa Ana made in 1766 shows Tepetzinco in the land owned by the hacienda.<sup>6</sup> The issues to be studied in the case of the Hacienda de Santa Ana and in further conflicts over land would have to go beyond the analysis of continuity and

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<sup>5</sup> AGN, Indios, Vol. 43, Exp. 156.

<sup>6</sup> *Cédula dada por el Emperador Quauhtemotzin [sic] para el reparto de la laguna grande de Tescuco en 1523* ed. Vargas Rea (Mexico City: Biblioteca Aportación Histórica, 1943), 7. *Ordenanza del Señor Cuauhtémoc*, 72, 148-161.

transformation to include a detailed study of the different social groups that inhabited Santiago Tlatelolco: Tlatelolca, indigenous people from other altepetl, Spaniards, women, merchants, religious people, and authorities.

**APPENDIX: RULERS AND OFFICIALS IN TLATELOLCO (1350-1758)**

NAME	REIGN	TITLE	LINEAGE	SOURCES
Quaquauhpitzaahuac	1350-1409	Tlatoani	Son of Tezozomoc, tlatoani of Azcapotzalco	AT, 23, 25. FC 8, 7-8.
Tlacateotl	1409-1427	Tlatoani	Son of Quaquauhpitzaahuac	AT, 25. FC 8, 7-8.
Quauhtlatohuatzin	1424-1452	Tlatoani	Grandson of Tlacateotl	AT, 25. FC 8, 7-8.
Moquihuitzin	1452-1473	Tlatoani	Son of Quaquauhpitza-huac	AT, 25. FC 8, 7-8.
Itzquauhtzin	1475-1519	Tlacochealcatl	Son of Tlacateotl	CC1, 141.
Tzihuacpopocatzin	1488-1506	Tlacatecatl	Son of Acolmiztli and brother of Quauhtlatohuatzin	AT, 97, 99. CC 2, 99.
Don Pedro Temilo	1521-1523	Tlacatecatl, Tlacochealcatl, and gobernador		AGN T1-1, ff. 27, 83. FC 8, 7-8. FC 12, 110, 117, 116-120.

Don Martín Ecatzin	1523-1526	Tlacatecatl and gobernador		AGN T1-1, ff. 27, 83. FC 8, 7-8. AT, 35.
Don Juan Ahuelitoc	1526-1530	Mixcoatlaillotlac and gobernador	Son of don Pedro Temilo	AGN T1-1, ff. 27, 83. FC 8, 7-8. FC 12, 122. AT, 37-39.
Don Juan Quauiconoc	1530-1537	Gobernador	Son of don Juan Ahuelitoc; descendant of Acacihltli Tzompachtli	AGN T1-1, ff. 27, 83. FC 8, 7-8. AGN T 12-2, Exp. 1. AGN T 17- 2, Exp. 1. AGI, Justicia, Vol. 124.
Don Alonso Quauhnochtli	1537-1539	Tlacateco and gobernador		AGN T1-1, ff. 27, 83. FC 8, 7-8. AT, 107. CT, 59-60.
Don Martín Tlacatecatl/Quauhtzin/Guzmán	1539-1545	Tlacatecatl and gobernador		AGN T1-1, ff. 27, 83. AGN T 1-2, f. 75. FC 8, 7-8. CT, 59-60.
Don Diego Mendoza de Austria Moteuczoma	1545-1560	Gobernador	Descendant of Tzihuacpopocatzin	AGN T1-1, ff. 6, 27, 83. AGN T 1-2, f. 75. AGN T 49, Exp. 5, FC 8, 7-8.
Don Esteban de Guzmán	Circa 1559	Juez-gobernador		AGN T 35, Exp. 1. HNM, 73. CC 2, 41. AJB, 133.
Don Juan de los Angeles	Circa 1561, 1563	Gobernador		AGN T1-1, ff. 12, 17, 27, 83, 166.

Don Gregorio de San Buenaventura	Circa 1562	Gobernador		AGN T 20-2, Exp. 1
Don Luis de Santa María	Circa 1564	Gobernador		AGN T 22-1, Exp. 5. AHT, 139, 147.
Don Agustín Osorio	Circa 1569	Gobernador		AGN T 1-2, f. 185.
Don Miguel García	1579-1591	Juez-gobernador	Referred to as lord	AGN T1-1, f. 12. CC 1, 177.
Don Juan de Austria	Circa 1588	Gobernador	Barlow believes that he was related to don Diego Mendoza de Austria Moteuczoma.	AGN T 49, Exp. 5. Barlow, "Otros caciques coloniales de Tlatelolco, 1567-1623," 366.
Don Juan de Zárate	Circa 1591	Juez-gobernador		CC 1, 177.
Don Juan Martín	1588-1590	Juez-gobernador	Mestizo, later worked as aid of don Antonio Valeriano when the latter was governor of Mexico Tenochtitlan.	AGN I 4, Exp. 800. AGN I 4, Exp. 76, f. 23. AGN I 4, Exp. 800, f. 219. AHT, 67, 69, 143.
Don Gaspar Mendoza de Austria Moteuczoma	1591-1592	Gobernador	Son of don Diego Mendoza de Austria Moteuczoma	AGN 56, Exp. 8; AGN I 6-2, Exp. 703. AGN I 3, Exp. 814, f. 193. AGN I 6-2, Exp. 703, f. 163.

Don Melchor Mendoza de Austria Moteuczoma	1593	Gobernador	Son of don Diego Mendoza de Austria Moteuczoma	AGN I 6-1, Exp. 500.
Don Jerónimo López	Circa 1596/1599-1608	Juez-gobernador	He was not Tlatelolca, but a mestizo from Xaltocan.	<p>           BNA, AGN I 6-2, Exp. 1002. AGN I 6-1, Exp. 1135.            AHT, 67, 113.         </p>
Don Juan Bautista	Circa 1604, 1608	Juez-gobernador	He was from Malinalco and after serving as governor in Tlatelolco, he did so in Mexico Tenochtitlan.	AHT, 85, 113.
Don Melchor de Soto	Circa 1613	Juez-gobernador	He was from Cuitlahuac, he had served as governor there.	AHT, 113, 243.
Don Melchor de San Martín [perhaps the same as above]	Circa 1621	Described as “indio principal”		AGN I 9, Exp. 304.
Don Juan Toribio de Arcaraz (Alcaraz)	Circa 1631, 1632, 1634	Gobernador		<p>           AGN I 10, Exp. 94, Exp. 13, Exp. 25, Exp. 46; AGN I 12 Exp. 97, Exp. 110, Exp. 127; AGN, Bienes Nacionales, Vol. 293, Exp. 1         </p>
Don Juan Lorenzo	Circa 1637, 1654, 1661,	Gobernador		AGN I 21, Exp. 66; AGN I, 17, Exp. 218. AGN I 19,



	1662, 1666		Exp. 428, Exp. 569. AGN I 24, Exp. 99.
Don Diego de Carreón	1646-1649	He is accused of mistreating his people.	AGN I 15, Exp. 134.
Don Gregorio de San Buenaventura	Circa 1654	Gobernador	AGN T104, Exp. 8.
Don Juan Lorenzo	Circa 1669	Gobernador	AGN I 24, Exp. 267.
Don Diego de la Cruz Villanueva	Circa 1669	Gobernador	AGN I 24, Exp. 266. AGN I 26, Exp. 76.
Don Miguel de Santiago Mons	1673	Gobernador	AGN I 24, Exp. 504. AGN I 26, Exp. 76
Don Felipe Lorenzo	1681-1682	Gobernador	AGN I 26, Exp. 23. AGN I 27, Exp. 243.
Roque de Santiago	1684	Gobernador	AGN I 28, Exp. 31.
Juan de Santiago	1685	Gobernador	AGN I 29, Exp. 40.
Diego Martínez	1686	Gobernador	AGN I 28, Exp. 253.
Juan de Salas	1687	Gobernador	AGN I 29, Exp. 231.
Antonio Lorenzo	1688	Gobernador	AGN I 30, Exp. 333.
Felipe de Santiago	1690	Gobernador	AGN I 30, Exp. 186.
Don Lucas de Santiago	Circa 1691	Gobernador	AGN I 31, Exp. 8

Don Juan Agustín	Circa 1694	Gobernador	AGN I 32, Exp. 238
Don Lucas de Santiago y Rojas	Circa 1699-1725	Gobernador	AGN T 2780, Exp.6; AGN I, 39, Exp. 10; AGN T 2780, Exp. 7; AGN GP 22, Exp. Único
Don Gregorio de San Buenaventura	Circa 1725	Gobernador	AGN I 50, Exp. 130
Don Ignacio de San Roque Martínez	Circa 1758	Gobernador	AGN T 2757, Exp.1

#### ACRONYMS

AT	Anales de Tlatelolco
FC	Florentine Codex
CC	Codex Chimalpahin
AGN T	Archivo General de la Nación, Tierras
AGN T1-1	Archivo General de la Nación, Tierras, Vol. 1, Part 1, and so on
AGN I	Archivo General de la Nación, Indios
AGN BN	Archivo General de la Nación, Bienes Nacionales
AGN GP	Archivo General de la Nación, General de Parte
CT	Códice de Tlatelolco
HNM	Historia de la Nación Mexicana
AJB	Anales de Juan Bautista
AHT	Annals of His Time
BNA	Biblioteca Nacional de Antropología, Microfotografía, serie B. Franklin, rollo 5, manuscrito 1481, Coleccion Ayer.

## GLOSSARY

**Acequia madre.** Main canal.

**Acequia.** Water canal.

**Acta.** Record.

**Adelantado.** Conqueror.

**Albarrada or albarradón.** Defense wall or dike.

**Alcalde ordinario.** Cabildo magistrate.

**Alcalde.** Chief magistrate.

**Alcaldes del crimen.** Criminal judges.

**Alguacil mayor.** Chief constable.

**Alguacil.** Bailiff.

**Altepetl.** Ethnic state.

**Amparo.** Protection.

**Atentli.** Land at the shores of a body of water.

**Audiencia.** Hearing.

**Axolotl.** A Mexican species of salamanders.

**Baldío or tierras baldías.** Vacant land.

**Barrio.** Continuous subdivision of an altepetl that was next to the head town.

**Bledo.** A variety of swamp plant.

**Cabecera.** Head town.

**Cabildo.** City council

**Cacicazgo.** Indigenous noble estate.

**Cacique.** The word for ruler or chief used by the indigenous peoples that inhabited Hispaniola. The Spaniards adopted the term and applied it to indigenous rulers in New Spain and elsewhere

**Caja de agua.** Water reservoir.

**Calador.** Perforator.

**Callejón.** Alley.

**Calpollalli.** Communal land whose products belonged to the calpolli.

**Calpolli.** Constituent of an altepetl inhabited by a group that share a history or family connection. Its similar in meaning to tlaxilacalli and to the Spanish barrio.

**Calpuleque.** Community officials.

**Calzada.** Causeway.

**Camellón.** Land for cultivation.

**Carrizo.** A type of swamp plant.

**Castiza.** Child of a mestizo woman and a Spanish man.

**Cédula.** Mandate.

**Céspedes.** Grass.

**Chía.** A seed that is used in Mexico to add to lemonade and to make oil.

**Chile.** Chili pepper.

**Chinampas.** Floating soil platforms.

**Chinampeca.** Literally people from the chinampa region. Chimalpahin used it to refer to people from the altepetl of Chalco

**Cihuacoatl.** The office right below the tlatoani

**Cocoliztli.** Epidemics that decimated indigenous populations during the colonial period.

**Cofradía.** Religious brotherhood.

**Comisario.** Inspector.

**Comitl.** Pot.

**Composición de tierra.** Seventeenth-century policy in which landowners had to adjust the titles to their land through a fee paid to Spanish officials.

**Consejo de Indias.** Council of the Indies.

**Corregidor.** Short-term lieutenant governor.

**Corregimiento.** Districts under the control of short-term lieutenant governors called corregidores.

**Cortes.** Councils of state.

**Cuauhtlatoque.** Provisional rulers.

**Curador.** Officer in charge of a minor's affairs.

**Dentro de sus términos.** Within their boundaries.

**Departamento de Salvamento Arqueológico.** Archaeological Salvage Department.

**Desagüe.** Ditch.

**Dilación de causa.** The delay in reaching a resolution in a lawsuit.

**Ducado.** Monetary unit equivalent to 375 maravedís.

**Ejido.** Communal land in the Spanish landholding system.

**Elli.** Liver.

**Encomendero.** Individual in possession of an encomienda.

**Encomienda.** Land grant.

**Estancias.** Districts of an altepetl that were distant and separate.

**Etl.** Beans.

**Fanegas.** A variable measurement of volume.

**Fayuca.** Trafficked goods in modern day Mexico.

**Fianza.** Secured funds on deposit with the Audiencia.

**Fiscal.** The Audiencia's officer who defended the crown's interests; his position was immediately below that of the oidores. Within an indigenous community, the highest religious official who was also a member of the cabildo.

**Gobernador.** Governor.

**Hacienda.** Large agricultural estate.

**Henequén.** Agave fiber.

**Hidalgo.** Noble.

**Huehuetlalli.** Patrimonial land or to land that had been inherited.

**India cacica.** Indigenous noblewoman.

**Indio advenedizo.** Outsider.

**Instituto Nacional de Investigación de México.** National Institute of Research.

**Ixtli.** Eye.

**Jubones de holandilla.** Linen doublets.

**Juez de cuenta.** Collecting officer.

**Juez de residencia.** Examining officer in the juicio de residencia.

**Juez repartidor.** Local magistrate who assigned workers to either public works or private service.

**Juez-gobernador.** Judge-governor.

**Juicio de residencia.** Lawsuit that the visitadores initiated against Spanish authorities for wrongdoing.

**Juzgado General de los Naturales (or de Indios).** General Indian Court.

**La Lagunilla.** A small lagoon located to the south of Tlatelolco, now a neighborhood in Mexico City famous for its furniture stores.

**Letrado.** Lawyer.

**Libro de Censos.** Census Book.

**Macehual or macegual.** Commoner.

**Maestro de albañilería.** Brickwork master.

**Maestro de obra.** Mason master.

**Maestro mayor.** Official in charge of the city's public works.

**Manta de Cuernavaca.** Expensive and fine cotton from Cuernavaca.

**Mantas de la tierra.** Cotton mantles.

**Mapa.** Map.

**Mayorazgo.** Legal institution in which all of the property of the family was inherited by the lawful heir, who was usually the eldest son; i.e., male primogeniture.

**Mayordomo.** Chief steward.

**Mayordomo mayor de la ciudad.** Main steward of the city.

**Merced.** Land grant.

**Merino.** Rural constable.

**Meseta.** Plateau.

**Ministros de vara.** Judicial officers.

**Miserables.** Poor people.

**Mojoneras.** Boundary markers.

**Nahuas.** Indigenous people whose language was Nahuatl.

**Noche Triste.** Night of Sorrows.

**Nouueutlal.** My inherited land.

**Obraje.** Forced labor in a factory.

**Obrero mayor del agua.** Officer in charge of Mexico City's hydraulic system.

**Obrero mayor.** Official in charge of the city's public works.

**Oidor.** Judge of the Real Audiencia.

**Oratorio con alhajas.** A chapel with precious things.

**Ordenanza.** Bylaw.

**Pago.** Sizable tract of land.

**Pantli.** Banner.

**Pascua de espíritu santo.** Pentecost.

**Peso de oro de minas.** The most standard coin in the New Spain. It weighed 4.219 grams.

**Petate.** Bed mat made from palm fibers.

**Pillalli.** Private land of the nobility.

**Pilli.** Noble.

**Pipiltin.** Nobility.

**Pleito ordinario.** Ordinary lawsuit.

**Pochteca.** Merchant.

**Presura** The right of possession through use.

**Principales.** High ranking men.

**Procurador general de indios.** In the Juzgado General de Indios, the officer who served as prosecutor or defender of indigenous peoples.

**Procurador.** Soliciter or officer who helped a party defend its case.

**Propiedad.** Property.

**Pulque.** Alcoholic beverage made from maguey's fermented sap.

**Pulquería.** Pulque vending stall.

**Putas indias viejas.** Old whores.

**Quachtli.** Cotton mantle.

**Quetzaltlalpiloni.** Royal style of tying up hair with feathers.



**Ramos.** Fonds or group of documents that shares the same provenance or source.

**Rancho de labor.** Cattle ranch.

**Real Almoneda.** Royal auction.

**Real Audiencia.** High court of law.

**Real.** An eighth of a peso, the primary monetary unit in the New Spain.

**Realengo or real cabeza.** Property of the crown.

**Regidor.** Councilman.

**Relación.** Documents that contained the summary and evidence presented by each party in a lawsuit.

**Relator.** Fee-earning officer who prepared lawsuit summaries.

**Repartimiento.** A rotational system of paid labor.

**Ropa de la tierra.** Probably cotton mantles.

**Semana Santa.** Holy Week.

**Señores naturales.** Indigenous lords.

**Señorío.** Land under the rule of a lord.

**Servicios Geofísicos S.A.** Geophysical Services.

**Sierra de Guadalupe.** Guadalupe Ridge.

**Siete Partidas.** Codification of law under the late thirteenth-century king Alfonso X.

**Sisa.** Tax for public works.

**Sub-cabeceras.** A head town that was subject to another cabecera.

**Teatinos.** A term used for the Jesuits.

**Tecpan.** Palace, later, city hall.

**Tecpantlalli.** Land that officers could use for their own support, but that pertained to the corporation.

**Tecuhtlalli.** Land that officers could use for their own support, but that pertained to the corporation.

**Tenayuca.** Flagstone.

**Tenencia.** Tenure.

**Tequitlalli or tequitcatlalli.** Land on which tribute was paid.

**Terrazgo.** The right to collect tribute from the people who cultivated the land.

**Terrazguero.** Landless worker.

**Tetl.** Stone.

**Tezontle.** Volcanic rock.

**Tianguis.** Market.

**Tierra Caliente.** Southern region.

**Tierras de propios.** Land that belonged to the cabildo, also known as *bienes de comunidad* or *tierras comunales*.

**Tierras del cacicazgo.** Lands entailed to a hereditary noble estate.

**Tilmatl.** Cotton mantle.

**Título primordial.** A document that indigenous people made in the late colony but pretended to have a pre-Hispanic origin to legitimize land possession.

**Tlacatecatl.** Military leader closely associated to the cuauhtlatoque; served as judge in the tlatoani's advisory council (Council of Four).

**Tlacochealcatl.** Literally Keeper of the Dart House. Military leader closely associated to the cuauhtlatoque; served as judge in the tlatoani's advisory council (Council of Four).

**Tlacuilo (pl. tlacuiloque).** Painter of codices.

**Tlalcohualli.** Purchased land.

**Tlalli.** Land.

**Tlalmantli.** A piece of flat land.

**Tlatelulco or Tlatelolco.** Earth mound.

**Tlatoani.** Pre-Hispanic dynastic ruler of an altepetl.

**Tlatocatlalli.** Land attached to the office of the tlatoani.

**Tlatocayotl.** Rulership.

**Tlatoque.** Plural of tlatoani.

**Tlaxilacallalli.** Communal land whose products belonged to the tlaxilacalli.

**Tlaxilacalleque.** Members of the barrio.

**Tlaxilacalli.** Constituent of an altepetl inhabited by a group that share a history or family connection. Its similar in meaning to calpolli and to the Spanish barrio.

**Tlaxilacalli.** Constituent of an altepetl or political district. In Spanish, barrio.

**Tocic.** Our Grandmother.

**Tomate.** Tomatoe.

**Tomín.** One eight of a peso, also known as a real.

**Tototl.** Bird.

**Tozan.** Head.

**Tule.** A type of swamp plant.

**Ulli.** Rubber ball.

**Vara de justicia.** Staff of justice, used as an emblem of judicial authority.

**Visita.** Literally a visit. It was a royal mechanism or audit to control the Audiencia that consisted in a Spanish officer making a visit to examine the oidores' performance.

**Visitador real.** Officer that the Crown appointed to audit the performance of Spanish authorities.

**Xaltelulli or Xaltilulco.** Original name of Tlatelolco which makes reference to the sandy composition of its soil.

**Xihuitzolli.** Turquoise diadem used to represent tlatoque in manuscript paintings.

**Xocotes.** A type of fruit.

**Yerba.** Grass or weed.

**Zacate.** Loofa.

**Zanja.** Field waterway.

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## **BIOGRAPHY**

Margarita Vargas-Betancourt was born in Mexico City on December 23, 1971. After obtaining a B.A. in Hispanic Literature and Language from the National Autonomous University of Mexico (UNAM), Margarita Vargas-Betancourt received a fellowship from Mexico's National Council of Science and Technology (CONACYT) to pursue graduate school at Tulane University. There she obtained an M.A. and a Ph.D. in Latin American Studies. She is currently the Caribbean Basin Librarian at the George A. Smathers Libraries of the University of Florida. Her past studies have originated keen interest in the study of colonial Mexico, indigenous cultures, theatre and ritual, and her current job has resulted in interest in the Caribbean, its economic, social, and political history. As the Caribbean Basin Librarian at the George A. Smathers Libraries of the University of Florida, Margarita Vargas-Betancourt is in charge of processing Latin American manuscripts and of serving as liaison and reference to faculty and students. She is currently Co-PI in the Florida and Puerto Rico Digital Newspaper Project, funded by the National Endowment for the Humanities, National Digital Newspaper Program and co-chair of the Society of American Archivists' Latin American and Caribbean Cultural Heritage Archives (LACCHA) Roundtable.